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## Motions 1988 volume 1 number 4

University of San Diego School of Law Student Bar Association

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# Motions

Volume 1, Number 4

Barrister's Ball  
March 19 . . .  
Page 14



Dean Sheldon Krantz pledges a donation to the newly-founded More Hall Public Interest Law Foundation. With Krantz are Foundation Directors Jenni Barnes and Richard Bargetto, both third-year law students.

## USD's More Hall Public Interest Law Foundation gets off to running start

by Thomas Mauriello  
Legal Articles Editor

Bolstered by enthusiastic support from Law School Dean Sheldon Krantz, several faculty members, and a sizable number of law students, USD's More Hall Public Interest Law Foundation kicks off its first annual pledge drive this week. Founded and run entirely by law students, the Foundation is a nonprofit corporation designed to remove barriers for law students interested in working in public interest law during the summer and possibly after law school.

### Give a damn—Give a day

The centerpiece of the Foundation's effort is the pledge drive scheduled on March 7-18 from 10 a.m. to 2 p.m., and from 5-6 p.m. Students will be asked to "work a day in the public interest" by pledging one day's summer salary—or for graduating students, one percent of one's annual income—to this Foundation. Faculty are asked to contribute \$100.00 annually. Every dollar will be directed to subsidizing other law organizations at salaries commensurate with those of private law firms.

Every person who contributes this suggested donation (as well as those who contribute a minimum of \$15) becomes

a Member of the More Hall Public Interest Law Foundation. Foundation Members are entitled to vote for the areas in which they would like to see their money spent. Pledges will be sought during the two-week pledge drive, but the pledge money will not be collected until the summer (for 1st and 2nd year students) and the fall (for graduating students).

### Public interest career forum

The Foundation will also co-sponsor, along with the Career Planning and Placement Office, a forum on Public Interest Law Career Opportunities on Monday, March 14 from 12:15 to 1:00 in the Fletcher Reception Hall. Representatives of various San Diego public interest agencies, such as Legal Aid, Defenders, Inc., and others will be on hand to discuss their organizations and opportunities to work in this field.

Special guest at the March 14 forum will be Michael Caudell-Feagan, President of the National Association for Public Interest Law (NAPIL) in Washington, D.C. NAPIL is a national group, comprised of law school chapters, which encourages and assists law students in organizing local chapters and projects in public interest law.

USD's More Hall Public Interest Law Foundation is the most recently formed member of NAPIL, joining groups at over thirty other law schools across the country including UCLA, Georgetown, Davis and Berkeley. Claudell-Feagan, an attorney, will discuss the phenomenal growth of NAPIL in recent years, the work NAPIL has done and observations about public interest law.

### Student & faculty support

The strong support the foundation has received at USD Law School has proven wrong the frequent complaints about student apathy at this school. Over forty law students attended the Foundation's organizational meeting at lunchtime on February 17, and another dozen showed up at the 5:15 meeting. Even before the pledge drive officially began, pledges had been received by several faculty and students.

(Continued on page 16)

## Faculty votes to approve midterm exam requirement and bar preparation course

by Mike Still

On Friday, February 12, at the faculty meeting, two very important faculty recommendations were voted on and passed. The faculty, on the recommendations of the Bar Improvement Committee, voted to, one, require midterm examinations in all courses for a two year experimental period beginning in the '88-'89 academic year, and two, to offer a voluntary bar preparation course which would continue this semester for third year students.

Other recommendations were considered but tabled for further discussion and a vote. Proposed are the expansion of the number of weeks in the semester from 14 to 15 to allow for a midterm study dead week in which there would be no classes, and the requiring of notice to be sent to students in the lower 20 percent of their class recommending that they participate in the voluntary bar preparation course offered by the school.

### Required Midterms

The required midterm examinations can range from objective tests to essays to periodic quizzes but the recommendation indicates that the exam should be graded and constitute a portion of the final exam grade. Each individual professor will have discretion as to these areas of the midterm exam. Details as to the midterm exam, such as whether there will be sample answers on file and whether a class will be spent on going over the midterm exam, are still left open and have to be discussed and voted on.

Other details such as whether midterm exams will be required in summer session courses, independent research courses, clinical internships and externships, and

paper courses have yet to be resolved, however the Bar Improvement Committee recommends that the rule not apply to these courses.

### Bar Prep Course

The voluntary bar preparation course will provide essay and performance skills assistance and would offer some summary lectures in certain required areas of the bar exam. This program will be coordinated by Assistant Dean for Student Affairs Kelly Salt. The program is not a substitute for commercially offered bar review courses but is in addition to them.

In announcing the passing of the faculty recommendations, Dean Sheldon Krantz stated that he felt these are "extremely important development's for the law school." He noted that the recommendations were the result of work done by the Bar Improvement Committee, chaired by Professor Robert Fellmeth, and the Long Range Planning Committee, chaired by Professor Paul Horton.

Krantz said "the faculty is realizing that students need more exam experience during the semester." He also recognized that the faculty should experiment with the exams offered during the semester and that it is very likely the faculty will scrutinize carefully the approach over the two year experimental period.

With regard to expanding the number of weeks in the semester from 14 to 15 to allow for a midterm study dead week, Krantz stated, "there are advantages to it, but the faculty wants to see what it will look like on the academic calendar and what impact it will have on the study period before final exams. Thus, the faculty wants to give this recommendation more assessment."

When asked whether other law schools in California offer midterm exams, the Dean stated that "some do, but we are convinced on our own that the midterm exams are needed here at USD."

He also noted that the midterm exams will have no effect on the school accreditation standing.

Krantz strongly supported the recommendations and noted that it was his feeling that students strongly supported them.

"The real point of the recommendations," Krantz stated, "is that there are far too few chances for students to see how they are doing during the course of the semester."

The faculty will continue to consider other recommendations dealing with standards of student performance and will look for ways to increase opportunities for the faculty to inform students during the semester of their performance.

## Law School hazards, stress seminar offered

Warning: Law School can be hazardous to your health. Some of the common "symptoms" seem to be:

1. Lack of time and the wish for 40-hour days.
2. Rocky relationships.
3. The library and/or law books become your "best" friend.
4. The Bar passing blues.
5. Procastination.
6. Work does not equal achievement.
7. Feelings of failure/fear of failure.
8. Worries about the future.
9. Loss of energy.
10. (fill in your own)

The Law School and the Educational Development Center invite you to a 1-hour seminar on how to survive the law school experience if you are a victim of some or all of the above symptoms. The seminar will advise students on ways to cope with and minimize some of the hazards to make law school as painless as possible.

The seminar for first year students will be held Wednesday, March 9 at noon in Fletcher Reception Area. The second and third-year students will meet Tuesday, March 15 at 5 p.m. in the same place.

If you have any questions contact Kelly Salt, x4362 or Dr. Kathy Kashima, x4655.

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# Dicta

## How can USD law students support Soviet military bases in Nicaragua?

by Mike Still

Last week, on the day that Congress was voting on whether to grant the Reagan Administration's request to extend military aid to the contra army, I noticed a fellow USD law student wearing a shirt with the words "stop contra aid" on it. While a majority of Congress agreed with the student and voted to stop extending military aid to the contras, I seriously question whether this is a wise decision by Congress at such a critical time in Nicaragua.

The 15,000-man contra army has shown military ability and built-up significant support among the peasantry and the internal opposition, thus forcing the Sandinistas into direct negotiations with them. Furthermore, the Sandinistas are in trouble: their economy is in collapse, inflation since November is at 13,000 percent, and food shortages are so severe that they threaten the regime's survival.

However, at such a desperate time in their nation's economy, the Sandinistas are so much more worried about contra political and military gains than two weeks ago they arrested a dozen internal opposition leaders just for meeting with the contras. This was just as Daniel Ortega was trying to impress Congress with promises of democracy. In the face of all this pressure on the Sandinistas, Congress voted to save them by cutting off the contras.

One issue which Congress seems to have completely ignored while cutting off the contras is the issue of Soviet military bases being built in Nicaragua. Soviet and Cuban engineers continue to work on the naval base at Corinto on the Pacific coast. Over 200 miles to the east, Soviet engineers continue to work on the naval base at El Bluff. Seventy-five miles to the east, more Russian and Cuban engineers have finished work at Punta Huate on a 10,000-foot runway. This bomber base will be the largest military airbase in Central America and will be able to accommodate any aircraft in the Soviet air force.

The Central American accord and the rhetoric of its liberal supporters in Congress seem to completely ignore the fact that Soviet military bases are being built in Nicaragua. This ignorance by the American leaders who control Congress offers a golden opportunity to the Soviets to extend their influence and military power in the Western hemisphere. The Sandinistas will leave the negotiating table verbally chewed-out but with Marxist control of Nicaragua intact and the Soviets will have gained another valuable piece of land in the Western hemisphere.

Currently, the Soviets base three Foxtrot class submarines in Cuba. They over-fly the east coast of the United States with Bear bombers, service ballistic missile submarines in Cuba, and supply Cuban troops to fight Russian wars in Ethiopia, Angola, South Yemen, and the Congo. The Soviet bases in Nicaragua will be a greater acquisition for the Soviets than their bases in Cuba. The naval base at Corinto will give the Soviets their first major port on the American land mass and will put them within striking distance to the Pacific entrance of the Panama Canal, as well as providing them a center for operations against the U.S. Pacific Fleet.

Distance is the reason the Russians value the bases in Nicaragua so heavily. Distance is the main problem the Soviets face in projecting power to the West Coast of the U.S. and the southern Pacific. Obtaining Nicaragua also allows the Soviets to have naval bases so very close to the American naval jugular, the Panama Canal.

Punta Huate, Nicaragua will now serve as an unsinkable Aircraft carrier for Soviet

MiG's, Backfire bombers and Bear bombers. The refueling bases at Corinto and El Bluff will allow short-range Soviet diesel submarines to be within easy attack distance of San Diego, San Francisco, Jacksonville and Norfolk.

While the great Nobel Peace Prize-winning Arias peace negotiations go on, Soviet and Cuban engineers will continue to build Soviet military bases in Nicaragua, virtually undaunted by the "peace negotiations" going on around them. The Soviets, while ignoring the economic needs of the Nicaraguan people, will have gained a valuable stronghold in the Western hemisphere and Congress will have managed another strategic U.S. surrender. Now what did that shirt say?

## Super Tuesday: The start of something big or the end of the line

by Mel Epley  
Managing Editor

The 1988 Presidential race is well underway. This is a race which offers Americans a wide range of political ideals from which to choose. The candidates that represent those ideals, however, do not possess the charisma or appeal of past Presidents. None seem to capture the hearts of America like President Reagan did in 1980 and 1984.

This lack of appeal could result in the lowest voter turnout for a Presidential election, a trend which has been emerging in recent campaigns. With less people voting and no candidate clearly a favorite, both the Republican and Democratic candidates face the problem of making themselves and their policies known to those who will vote.

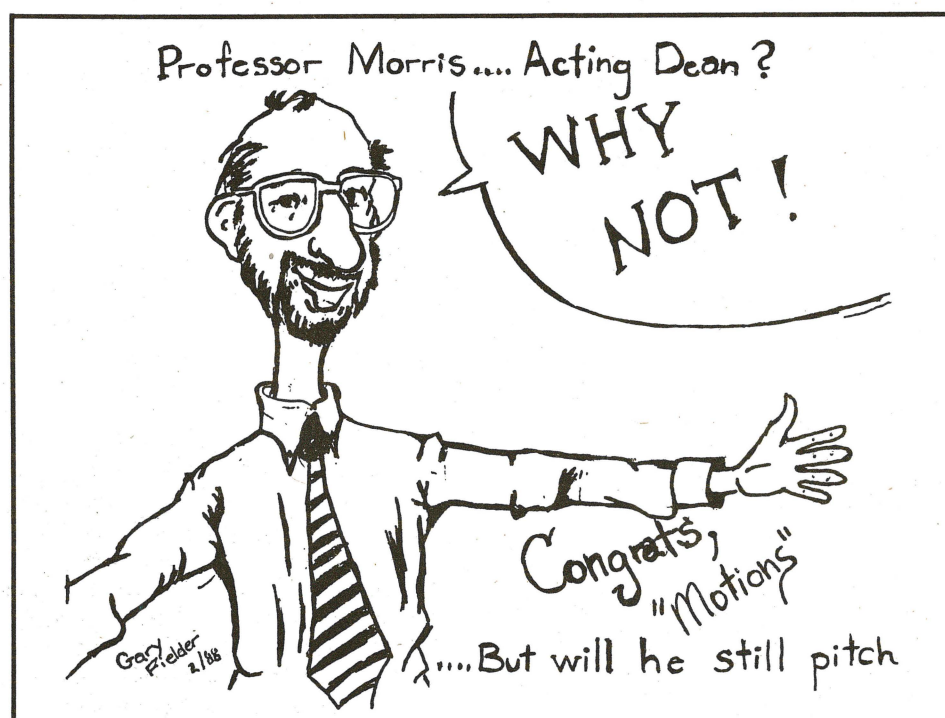
In Iowa and New Hampshire the candidates tested the waters, but the electoral delegates there were only a drop in the bucket compared to those at stake on "Super Tuesday", March 8. With over 30% of the total electorate on the line the outcome could make or break some candidates. While Super Tuesday is important to both parties, it could be crucial to the Democratic candidates.

Representative Richard Gephardt won the Democratic caucus in Iowa due to his appeal in America's heartland. As a congressman from Missouri, Gephardt has been known for his support of farmers and domestic economic reforms. He is favored by the farmers, union members, and elderly for his stand on the deficit, his nativist trade plan and his ideas on social security. In New Hampshire, Gephardt's "down home" appeal lost out to Governor Michael Dukakis's "Harvard" appeal, however, and Gephardt will have to work hard to regain his front-runner status.

Gephardt is aiming his campaign at States with large numbers of delegates and places where his messages of change in the economic structure are welcome. States like Texas, Oklahoma and Wyoming are favorable to his ideas of strengthening America by railing against U.S. oil imports and providing a more stable economy for American workers and businessmen to grow.

Gephardt talks of getting tough with countries that restrict U.S. exports. Talk like that appeals to Southern Democrats. Gephardt's main opposition in securing these votes is not his rivals but rather his ability to raise funds and get his message across. If he can raise more money Gephardt's chances of winning key states such as Florida, Louisiana and Alabama are greatly increased.

After Gephardt, Dukakis is the next favorite Democratic candidate. His victory in New Hampshire really boosted his campaign but he needs a good showing on Super Tuesday to secure his position. Dukakis is aiming at the traditional white



liberals in the South, many of whom are upper middle class and white collar workers living in Florida, Georgia and North Carolina. These voters make up about 20% of the Democratic electorate in the South, but combined with anticipated victories in Massachusetts and Rhode Island should give Dukakis a good showing on Super Tuesday. Although his appeal is more business-oriented, if Dukakis can hang close in the South his chances are increased in later primaries.

Senator Albert Gore and Reverend Jesse Jackson are the native Southerners in the race and both should have good showings. Gore is contending with Gephardt for the moderates and conservatives who make up 60% of the Democratic primary vote. Gore's appeal seems to be a purely Southern phenomenon and as such he needs a strong showing to continue his campaign. Gore's main issue is his stand on a strong defense, a popular theme in the South, but without developing other issues he won't go far. Super Tuesday may be the end of the line for Gore.

Jackson, on the other hand, is expected to take a large percent of the black vote in the South, which represents 20% of the Democrats. Any white votes that he receives will help Jackson build a strong foundation for future primaries. While Super Tuesday may be the end for Gore, it could be the start of something big for Jackson. A vice-presidential nomination could be in Jackson's future.

The remaining two Democratic candidates, Gary Hart and Senator Paul Simon are not expected to have any significant impact on Super Tuesday. Simon put his efforts into the Minnesota and South Dakota primaries on February 23rd. Hart hasn't made much of an effort at all since his poor showings in Iowa and New Hampshire but he "promises" to continue to the end of the race.

### The Republicans

The Republican race on Super Tuesday is a four-man race, although only two candidates, Senator Robert Dole and Vice President George Bush, have any real hope of winning the candidacy.

Bush has a lot going for him on Super Tuesday. He is the Vice President of a President very popular among Southerners and he has long ties with the "Republican Political Establishment." If Bush can bolster this start by clearly stating where he intends on taking America after Reagan, he could win big on Super Tuesday. Bush prefers to stress his past and portray his rival Dole as a potential tax increaser, though, rather than emphasize his future.

Bush has the most at stake on Super Tuesday among the Republicans. With his superior financial and organizational resources, a big victory on March 8 all but assures him of his nomination. A big

failure in the South, however, could find Bush in a political dogfight with Dole the rest of the spring, a battle that could damage the Republican's chances in the November election.

Dole needs to separate Bush from Reagan if he is going to win big in the South. This is a strategy which calls for more attacks on Bush for his passive role as Vice-President who did not add anything to Reagan's national security strategy. If Dole is successful at this he may be able to take away some of the established conservatives, but his main appeal is among the economically hard-hit parts of the South. To win in those areas Dole will have to rely on what he can do, not what Bush has not done. If Dole is able to give the people some reason to vote for him he may have a chance to close the gap between himself and Bush, but look for Bush to win the South.

The third candidate in the race with good chance on Super Tuesday is Pat Robertson. Robertson appeals to conservatives concerned with the morality of America. His campaign is based on revamping America's morality by reinstating prayers in school, outlawing abortion, teaching creationism in schools, and fighting against drugs and homosexuality.

In this sense he is carrying on where Reagan left off but with a more zealous effort. Robertson needs to have a substantial showing in the South to have any chance of obtaining the Republican nomination. The battle between Bush and Robertson promises to be a close one, but if they split the established ranks, Dole could slip in the back door.

The final man in the race is Congressman Jack Kemp. He is popular among conservatives and will most likely take 5 to 10% of the Republican vote on Super Tuesday. Kemp does not have much of a chance to win the Republican nomination for President this year but he could be in the running for a vice-president nomination. A deal could be made at the Republican convention whereby Kemp throws his support, and delegates, behind Bush in exchange for the vice-presidency.

No matter what the outcome on Super Tuesday, some candidates will be looking to the next primaries while others will be heading home.

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Apr. 19

Story/Letter to Editor  
Submission deadline  
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# Amicus Curiae

## Loungeless library shows failure to "think like an architect"

We've all spent a good bit of our educational time not learning that silly, unreliable black letter law, but rather learning how to "think like a lawyer." My notion is that after almost 3 years of law school, that tiny electric signal still jumps across my synapses at the same speed as when I was, say 12.

Although I don't know what lawyer-think is, maybe the key is that I can tell (sometimes) what it is not. And the library renovation plan is a multi-million dollar example.

It seems clear that Their (whoever those decisionmakers may be) "logic" was this: lounges are for socializing; socializing doesn't belong in a library; therefore, eliminate the student lounge. Simple. No need to consult students, they haven't even gotten lawyer-think down, no way could they architect-think.

First let's look at the premise. The student lounge we have now is used for much more than eating and casual dialoging. Lawyering Skills I students, as I understand it, are now allowed to work together to some degree. For those of us lacking knowledge in the art of sign language, working together often implies

oral communication, an activity that now can take place in the lounge. After the renovation, I assume we'll be told that if we wish to carry on with that heinous talking behavior, we should go to the University Center, where the materials which are the subject of the conversation are not.

Partners do the assignments together in Lawyering Skills II. They (those same decisionmakers) tell us that there will be six conference rooms where people may work in groups in the renovation. What masterful forethought! Six rooms should be ample for over 100 sets of partners whose assignments are all due on the same day! The result? From people coming out of L.S.II class we'll be hearing a lot more of, "I'll do the motion if you'll take the trial brief." So we'll only get half the experience that that class is supposed to provide. But then, educational opportunity wasn't mentioned in the original logic, was it?

Now for the second part of their equation: that social interaction has no place in a law library. The fact is that study sessions often last for hours. Psychologists tell us that a half-minute break to get a drink of water and exchange

greetings with another human being can be invaluable to study (not to mention general emotional health). Only a student lounge in the library can make such a mini-break possible.

They (yes, Them again) say, "but, not having a lounge will cut down on noise and bugs." Since the renovation purports to be on the cutting edge of computer technology, I'm surprised They don't yet know about soundproofing materials and bug spray. Besides, if I don't have a place where it's o.k. to talk, and I find a need to talk, then I'll do it where it's forbidden. As far as my other delinquent tendencies go, if you tell me that food is absolutely prohibited, then I'll sneak some in, hungry or not. Might as well go ahead and book me now (no pun intended). However, I'm pretty sure I'm not alone in this desire to violate stupid rules.

Just for a moment I'd like to lapse into some simplistic logic of my own. It goes like this. The current student lounge probably holds more students per square foot per hour than any other area in the library. Since it is utilized, it must be useful. So why the hell spend \$6,000,000 on a library less useful than before???

—Rusty Nichols

## Palestinian deportation violates First Amendment

by Chris Hardy

LOS ANGELES: Seven Palestinians were suddenly arrested one morning in January, 1987. Federal agents awoke them, confiscated magazines from their homes, and took them to jail while some were still not even dressed. One man was held and questioned for nearly three weeks, while the police called him a "camel-jockey" and a "terrorist."

All these men are legal residents of the United States. The Federal government has admitted that none has committed any crime. If these men were American citizens, the arrests would be blatantly illegal. They are being held under an archaic McCarthy-era law.

This law, simply stated, allows the deportation of any alien who possesses or distributes literature that advocates the idea of world communism or associates with any group that does so. It was vetoed by then-President Harry S. Truman; he felt it violated the First Amendment of the Constitution. However, over the veto, the law was passed by Congress.

Attorney Paul Hoffman is representing the seven defendants in this case, and he spoke at USD on February 2. The deportation case is presently pending appeal. Hoffman said that there are no Supreme Court decisions regarding the application of the First Amendment to non-citizens.

This law would clearly violate the First Amendment if it applied to U.S. citizens, but the courts have yet to strike it down. Other Constitutional rights, such as Due Process, have been granted to aliens. Hoffman argues that there is no reason to deny them First Amendment protection. In fact, denying aliens free speech would actually deny us our right to hear their information first-hand.

Immigrants can provide vital and otherwise unavailable information to us. The First Amendment protects freedom of speech, not the commission of crimes. There can be no harm in extending that protection to aliens.

## Night student rebuttal

I'm sorry, Wayne Brechtel, I didn't mean to seem an apologist for evening students.

If you would but read the "Student Lawyer" article I referred to in my essay, you would see that your opinions are not shared by many potential employers. There is a very real prejudice against evening law graduates seeking employment with many large law firms. Even those who hold this prejudice are hard put to explain it. The end product of all this is that, after fighting the uphill battle during the course of evening study while maintaining full-time employment, graduates of evening law programs go on to fight an uphill battle in gaining employment in the profession.

Certainly, all students, no matter what the discipline, struggle for grades and position in the graduating class. Academically, we are all in the same waterlogged, Papyrus boat. But the point is not academic. This is real life! When a potential employer looks at a resume, he/she wants to know the bottom line—How did you do in school? There is no such thing as a "Yeah, but" clause in a resume ("Yeah, but I did well, considering I was working 40 hours a week and I stayed married through it all and I didn't even forget my kids' names, etc.")

The essay was an attempt to make people stop and think about something they "never gave . . . much thought" to before. Your response shows me that attempt was successful. Thank you, Wayne.

—James F.B. Sawyer

## Six million dollars won't buy you a cup of coffee

So we are going to spend six million dollars to build a new library, but we can't have a cup of coffee anywhere in its vicinity. Well, I think that's just flat out shortsighted, inconsiderate and perhaps even immoral. Don't get me wrong, I am very excited about the new building and

### Respect students' privacy

A fraternity, PAD, published a law student directory which came out about the time of finals for Fall semester.

This directory contained students' names, addresses and phone numbers. Unfortunately, it contained the addresses of students who had explicitly requested at the time of registration that their addresses NOT BE published. I am one of those students. When I asked the student who was handing out these directories why this had happened, he said it was the fault of the records office.

Guess what the records office staff said?

I would like PAD to be more careful in the future—since there is a photo directory of first year students put out by the law school, why shouldn't other directories include only those who wish to be included?

—A first year student.

### Library story praised

Congratulations on the fine article, "Major Renovation Plans for USD Law Library" which appeared in the February 9, 1988, *Motions*. Dale Giali presented an informative and balanced view of the benefits and difficulties ahead for law students who will experience the construction period.

I do want to offer one factual correction to the story. Phase two construction—the renovation of the existing building—will take much longer than the four month period reported in the story. At least 12 to 14 months will be needed to totally gut and rebuild the interior of the current law library building. The architect has pointed out that the refurbishing of an existing building often is a more complex undertaking than building from scratch. Clearing the interior for remodeling substantially adds to the normal construction time.

Sincerely,  
Nancy Carol Carter  
Law Library Director  
Professor of Law

its proposed air conditioning. God knows that we have inhaled enough stale air in our present library to have sustained permanent lung damage.

You see, in the world of educational bureaucracies there are such things known as deliberate oversight and heavy duty day dreaming. When the bureaucratic planners get together at the sleepy hours of the day to plan things over a catered luncheon, they usually have a tough time dealing with reality. Therefore, they look to see what services they can add that the students should use and end up cutting out the services that the students do use.

A case in point is the little snack bar we used to have at the bottom of the law school. The snack bar was shut down and law students were supposed to share the food facilities in the University Center. Well, the idea probably looked very good on paper, but no one figured that it would take two hours to get a sandwich or a pizza. Furthermore, the night students were forgotten altogether. Food Service is unable to stay open late while the undergraduates are not in session.

This is hardly a situation to brag about or worse yet to rely upon. Additionally, to get a cup of coffee on the weekends is virtually impossible. Food Service is open a few hours here and there, but not long enough for it to make a real difference. I hope you see what I am getting at. These things are not going to change because of a new six million dollar building. The bottom line is this: If there is no lounge planned in the new library, then what are the students supposed to do?

For instance, a typical law student who is exhausted after hours of research or reading must leave the new library to find a place to get a cup of coffee, a piece of fruit or a candy bar. If this student is studying after hours, as most of us do most of the time, chances are very good that he or she would find a lot of locked doors and cold faces.

I am certain the plans include coffee rooms for the faculty and staff, and I think they should. But what about the students? Furthermore, a lounge is conducive to a feeling of community and fraternity among the law students. Why destroy this positive effect, when it can be easily accommodated. The concern with the book-eating bugs (whatever they are!) or spills on the books has some merit. But how serious of a problem is this? It seems

that eliminating the lounge is a simple way of avoiding the problem.

One final point on a different issue that shouldn't be taken lightly. The lighting at the new library is turned over to a lighting engineer. I sincerely hope a different engineer is chosen than the one who planned the Copley Library. The modern lighting used at the Copley Library is so poor that it probably qualifies for welfare. Such a mistake should not be repeated anywhere, particularly in a law library. The biggest problem is that the lighting is not bright enough for extended hours of reading, and also the ceiling lights are not located squarely above the reading areas. This can be readily seen by a simple visit to the new stack areas of the Copley Library.

Of course, some of us do not really have to worry since we will graduate before these problems are to surface. Nevertheless, we have a duty to do for the future students that which the prior classes didn't do for us. I know there is a contradiction there, but don't let that stop you. Pick up your pen and write to Dean Krantz, Library Director Nancy Carter and to *Motions* to make sure we don't build a student building based solely on a big academic picture that is unfriendly to the students. The little things like a friendly coffee lounge create a feeling of belonging and relaxation. It doesn't matter how many volumes of books we have on the shelves, if the students cannot feel at home in their own law library, then our dreams of building a great law school are but mere illusions.

—M.K. Penman

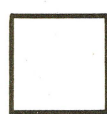
Submissions to the Editor must be typed, double-spaced and must include the writer's name and phone number, even if the letter is to be published anonymously.

## Night and Day Students, Faculty Wanted

... to write for *Motions*. This is your school newspaper, so report your opinions, issues, and discussions. Contact the *Motions* staff through the mailboxes on the first floor or the faculty mailroom, or call 260-4600 x4343.



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# Writs

## Professor Kerig honored with endowed scholarship in his name

by Mike Licosati

Anyone who has participated in the Law School Intramural Softball League has probably, at least initially, asked himself or a friend, "who is that field umpire out there; the one in the coaching shorts, baseball cap and cleats, chewing on a cigar?" Well, for those of you in your first season in the league, that umpire is Professor Lou Kerig, a familiar sight to those of us who have played several seasons. As an avid sports fan, Kerig regularly assists with the umpiring duties on Friday afternoons. His presence has become so common that USD's new intramural softball field has unofficially been named Kerig Park. Kerig's athletic interests also bring him to USD's gym on Sunday afternoons, when the Law School holds its intramural basketball games. But this article has a more serious purpose than to discuss Kerig's umpiring abilities and athletic pursuits.

A few weeks ago, a former USD law student and his wife made a contribution in honor of Kerig which establishes an endowed scholarship fund with an initial amount of \$25,000. In making the gift, the donors, who wish to remain anonymous, noted that Professor Kerig has been one of the school's most popular teachers over the years. With no prior notification, the donors mailed the check along with a letter specifying their wishes as to the scholarship to Dean Sheldon Krantz. They asked that the principal of the contribution remain intact, with the earnings to be distributed in accordance with Kerig's wishes. Krantz immediately phoned Kerig

and told him of the news. "I was absolutely speechless," Kerig said upon hearing the announcement, "it is indeed a great honor."

This gift marks the first such contribution in honor of a professor who is still teaching at the School. The donors also plan to contribute additional sums to the scholarship fund in future years. Kerig has set three criteria for a student to qualify for the scholarship. First, the students must have some financial need. Kerig did not specify the amount of need required beyond "some need" for a reason: "The committee can distinguish those who have a real need from the others. I don't want to set requirements which immediately exclude certain groups of people; I want everyone to have a fair shot," Kerig said. Secondly, the student must be in the top half of his/her class. Thirdly, the student must have done well in his/her four unit required Evidence course, not limited to those taught by Kerig. "I think he would appreciate that," Kerig said referring to his former student.

Kerig feels this contribution will go to an area that has a great need for it. He presently sits on two scholarship committees and realizes the financial pressure some of today's students are put under. "There are so many qualified individuals for so few scholarships. I would subordinate things like library renovations and a new faculty chair so more money could go to help students who lack financial resources," Kerig said. Sitting on the committee for the John Winters Memorial Fund and the Ronald Maudsley

Memorial Scholarship, two scholarships in memory of deceased USD law professors, Kerig has to make some difficult choices. "We have to deny assistance to some very deserving students," Kerig hopes to award two or three scholarships



Early Lou Kerig: Army lieutenant

a year in the amount of \$1000 each. "When more money is donated, hopefully we can give four or five."

Kerig has been a member of the USD Law School community for over 20 years. He came to USD in 1967 after a long

career in the Army. Kerig entered the Army at the early age of 18, having attended only one year at Texas A&M. After 3 years in the Army, he went back to Texas to finish his undergraduate work, but things didn't work out as planned. Kerig's only source of income was the Veteran's Administration, and his funds would not last him long enough to complete his undergraduate work and go on to law school. During this same period, the Legislature in Texas began to put pressure on the University of Texas to admit the veterans of the state into their law school provided they had 90 units of undergrad credit. So Kerig entered the University of Texas Law School after only three years of undergrad work at A&M. Because of the VA's funding policy, Kerig was forced to take a full load of classes year-round at Texas so as to graduate in two and 1/2 years. Kerig graduated from law school in 1950 and went directly back into the Army service at the start of the Korean War.

During the Korean War, Kerig spent 3 years with the 11th Airborne Division which brought him to such places as Japan and Germany. After the war, the Army sent Kerig to the Fletcher School of Law and Diplomacy where he earned his Masters Degree. Subsequently, Kerig went to Charlottesville, Virginia where he began his teaching career. For five years, Kerig taught primarily International Law at the Judge Advocate School. Kerig left the Army in 1967 and came to USD on the recommendation of Professor Frank Engfelt, a former student of Kerig's while in the Army.

When he first arrived at USD, Kerig says the school "was much smaller than it is today and its reputation was not widely known." Kerig's first teaching assignments as an assistant professor were in International Law and International Business Transactions. "I had a strong background in those areas," Kerig said "and USD had a need for instructors in them." He also taught courses in Evidence the class he is now famous for and continues to teach. After several years as an assistant professor at USD, Kerig began to work on what he considered to be a deficiency in the law school's curriculum. "Back then there were no separate classes in Criminal Procedure; Criminal Law was a four unit class, the first half was crimes, and the second half procedure." Kerig personally undertook the endeavor to create distinct Criminal Procedure courses. He moved away from the International area and devoted the majority of his time to the Crim Pro subjects. Kerig continued to teach Evidence even during this period, as he has for almost every year in his 20 years at USD.

Kerig officially retired from teaching in 1984, but his retirement was brief. Dean Krantz asked Kerig to return to teach just one Evidence course a year. "I didn't need much persuasion," Kerig said. "My retirement lasted a total of one month." Since 1984, Kerig has been teaching an evening Evidence class in the Spring. When asked how he spends his time during the fall, Kerig gives a quick answer: "football." Kerig's love for athletics goes back a long way. He played on a championship baseball team in the Army, and is now heading an effort to reunite with his old team this fall. He also plans a trip to his alma mater, Texas A&M, this fall for a football game. Kerig believes a lot of what makes a good athlete also makes a good attorney. "Athletes make good attorneys," Kerig says. "They're competitive, self-disciplined, and when things get tough, they know what to do." In response to the rumor that the new scholarship might be used to recruit athletic talent to USD, Kerig said, "completely unfounded."

## Help is on its way for students' academic problems

by Starr Lee  
Editor

Students hear the phrase, "grades are everything," from their first day in law school. Competition, briefs, papers, stress, personal problems and time constraints are just part of the everyday pressures. But when it starts affecting your sanity and/or your academic performance, it's time to ask for help.

"A lot of poor performances come from emotional distress or just going through upheavals. If you're having academic difficulties or emotional difficulties with school, don't think you have to tough it out," said Walter Heiser, Dean of Academic Affairs, as help is available.

Kelly Salt, Assistant Dean of Student Affairs, is the first person that students should turn to when they're ready to get help. Her job is to help students to choose among the various types of sources.

"First, you have to identify the problem," said Salt. "If it's personal, the student can start with the Educational Development Center or various other organizations that offer group support like BLSA, the Women's Caucus and La Raza."

But regarding academic difficulties, Salt is the Student's resource for remedies and alternatives. The University has strict grade standards, so though the student usually gets a "second chance" to bring up grades, that's all they get. That makes it even more important to get help before a student drowns from the stress or academic problems.

### Academic assistance

There are many alternatives open to students when their academic activities falter. Upper level students in good standing have the option of taking a leave of absence, with the permission of Salt. But there are many financial and academic ramifications like the loss of units and tuition and the possibility of loan repayments, so this decision should not

be made without counseling.

First year students must complete their first year before they can change their full-time or part-time status. If a first year student must withdraw or take a leave of absence, in most cases he would be required to reapply and start over another year. This also should not be considered without the guidance of Salt.

If you have too much going on in your life with family, work, financial and other obligations, maybe switching from full-time to part-time student is the answer (for upper level students), said Heiser. Salt feels not enough full-time students go to summer sessions just to lighten their loads during the fall or spring.

Also, if a student is working more than 20 hours a week, Salt suggests the student consider going to school part-time because the amount of working time will affect your performance.

"Many students may not want to go (to school) past three years but you have to consider the affect on your personal life and grades," Salt said. "If a student went to summer sessions, he could still graduate in three and a half years," as she noted that the ABA allows students five years maximum to get through law school. (The part-time night program requires four years and one summer session for graduation.)

### Course selection

Once a student is on probation, course selection becomes doubly important for the following semester. He needs to take certain required courses but he must remember that he only has one semester to bring up the grades. It's not to a student's benefit to take pass-fail courses at this time, said Heiser, as they are worth no points in a cumulative average and won't help revive your grades.

"If a student has problems with exam taking, maybe the student should take paper courses," Heiser said. Salt added that paper courses ultimately mean a

lighter exam schedule at the end of a semester and normally give a student much more time to concentrate efforts on the instrument to be graded.

Switching to part-time from full-time may also help the student to improve his grades, said Salt, but part of that would depend on what caused the previous problems. That could also mean fewer courses with which to improve the student's cumulative average.

### Learning new techniques

Salt feels that some exam problems come from the student's study techniques. "Too often students use outside resources like Gilbert's for outlines for exam," Salt said. "Students have to remember they are taking Professor Bratton's final, not Gilbert's. The outlines must be on the basis of a particular professor as presented in class."

Students should also be reviewing their class notes right after the lectures so they figure out their "gaps of understanding" that they need to fill in with hornbooks or by talking to the professors to get information while the problem is fresh in mind," Salt noted. Students put off going to see the professor until lectures have moved on and then the student gets lost or left behind. The way classes are conducted, Salt said, "You need to understand Point A to understand Point D."

Students need to spend qualitative not quantitative time on studying. "If you're reading a case more than twice, you need to find other resources, books or study groups," said Salt, to help you understand the issues and rules.

Students should go see their professors when they find they did poorly on a test. Many students are "intimidated" by going to see their professors or feel that they won't be receptive, Heiser said. But he noted, "Part of the professor's job is to be there for students."

(Continued on page 12)



# Dean's open forum leads to improved Law School dialogue

by Thomas Mauriello  
Legal Articles Editor

On Wednesday, February 3, USD law students discussed law school issues and problems with Dean Sheldon Krantz and other law school administrators. Also present at the two meetings, one at 12:15 and one at 5 p.m. were Nancy Carter, Director of the Law Library; Peter Hughes, a local attorney and President of the Law School's Board of Visitors; Mary Ann Salaber, the new Director of Career Planning and Placement; and Kelly Salt, the newly appointed Assistant Dean for Student Affairs.

The tone of the meetings was much more constructive than at past forums, which often constituted little more than administration-bashing. Students tended to vent their frustrations at the clearly unsatisfactory answers offered regarding fundamental problems such as copy machines breaking down.

One reason for the improved dialogue is that issues which had caused emotions to run high in the past were not in the forefront of discussion this time. For example, the new copy machines in the library break down much less often than the old ones, and they are repaired more quickly. Much of the credit for these and other library improvements must go to the new librarian, Nancy Carter. Also, the much-discussed parking problem did not come up, perhaps because people may be realizing that the problem requires a long-term solution by the University.

Another reason why the meetings offered more of a constructive dialogue is that the position of Assistant Dean for Student Affairs recently was created for the specific purpose of responding to student concerns about law school matters not limited to academic issues. Assistant Dean Salt's interest and organization were apparent at the meetings, and she was able to answer questions and take matters under consideration which in the past had seemed to slip between the cracks of the various administrators.

Among the issues discussed were the following:

## Communications

One first-year student complained about the poor communication between the administration and the students. Specifically, she and other first years were unclear over whether they would receive transcripts for their first semester grades, and they felt that they had been kept in the dark about this early in the second semester. Transcripts currently are not provided at this time, but a task force in the administration is presently studying the issue, according to Salt.

Other points were made regarding the issue of improving communication in general. First, the *Sidebar* is a weekly newsletter distributed every Monday morning in the bottom floor of More Hall. The *Sidebar* accepts and prints information regarding events and activities of interest to law students. Also, *Motions* welcomes both articles and announcements from the administration, student groups, individual students, faculty and alumni. Published monthly, it is an excellent way to get one's message across to the USD Law School community.

Second, students may use administration and faculty mailboxes (second floor of More Hall) and student organization mailboxes (first floor of More Hall) to communicate their concerns directly to those parties. Also, ample bulletin board space exists on the bottom floor of More Hall, although the lack of organization and failure to designate categories of messages cries out for improvement. There also has been talk of SBA acquiring some sort of computerized signboard to convey important information to students.

Third, both Krantz and Salt indicated that efforts will be made to hold the open forums monthly in the future, instead of

once or twice a year. This will give students more opportunity to be heard directly by the administration, to engage in an ongoing dialogue, and to monitor the progress of various issues.

## Dining Services

Several students noted that the University Center Deli was closed during the first two weeks of spring semester, because the undergrads were still on vacation. Moreover, while the Bakery was open during this time, it closed at 6 p.m. every day. This forced law students to drink that acrid, 10W-40 swill served in "Poker Fun" cups from the library vending machine in order to get their nightly caffeine fix. This seems particularly unfair, because the University closed the old Law School Deli (the Writs) a year and a half ago on the premise that the larger deli would be available to hungry and thirsty law students.

Salt indicated that she was in the process of negotiating with Tom Burke, Director of Student Affairs, regarding having the Deli or some other facility open during the periods when the law school is in session and the undergraduate division is not. Burke has confirmed that some food services in the University Center will be open during our Spring Break until 6 p.m.

## Evening students

Those night students with concerns or suggestions should speak with Salt about them. She and Professor Darrell Bratton are members of a University-wide task force which is exploring issues relating to the part-time student. Salt noted that she brought up the issue of extending dining facility hours in her initial presentation to Sister Furay, the University Provost. She stated that she will raise the issue again at the next meeting of the committee in March.

## Catering at the University Center

A member of the Moot Court Board complained that in order to use the University Center dining facilities for a reception they would be required to use the University Center catering services. The cost of this is beyond the Moot Court Board's budget. This has the ironic effect of precluding student use of a student center.

This policy apparently arose because someone suffered from food poisoning as a result of a student event. Special arrangements can be made through Tom Burke to bring in food, if it is food which does not need to be refrigerated. (Or perhaps we can have exceptions to this policy for law student events, and hold combination receptions/torts clinics!)

## Exams on file

One student noted that the exams on file at the law library were out of date, and that many professors simply did not have any prior exams on file. The student requested that the exam files be updated.

Professors have the option but are not required to place prior exams on file to assist the students. Students should request that their professors place exams on file and update these materials on reserve at the law library. Also, a memo is being sent to all faculty members, encouraging those who wish to place exams on file to update these files.

Another problem is that many of these files have been depleted because the exams which are checked out are not returned or are returned with missing pages.

## Exam-taking seminars

On Friday, February 11, the faculty passed a motion to develop a Bar Review seminar program for the Spring Semester. This seminar will cover three subject areas tested on the Bar Exam, and will include workshops on the performance skills section and essay writing. The program is scheduled to begin in March.

For lower division students, Salt plans to conduct an essay-writing workshop before the final exam period. A date has not been set at this time.

## Time management seminar

A seminar will be presented at the Law School on three different days to assist students with time management and stress-related issues. The first seminar was held on March 1, at 7 p.m. for the SPOSO (Spouses and Significant Others) organization. The other seminars will be held on March 9, at noon in the Fletcher Reception Area for first-year students, and March 15 at 5 p.m. in the Fletcher Reception Area for upper-division students.

## Residence units

One student suggested that the rule requiring students to complete 96 resi-

dence units in order to graduate be abolished. She considered the rule unfair and anachronistic.

Since the meeting, Salt found out that the ABA requires a student to complete the equivalent of 6 full-time semesters in residence. This can be met in two-and-a-half years by attending two summer sessions. Given these ABA rules, USD may not be able to alter the current residence units requirements. The matter is being referred to the faculty Academic Rules Committee for evaluation.

## Diversity among faculty

Students expressed concern about the lack of diversity among faculty at USD Law School. Krantz responded that, with respect to political ideology and teaching methods, there was a broad spectrum of people represented on the faculty. With

(Continued on page 13)

# Prof. wins award, hearings restarted

USD law professor and federal appeals court nominee Bernard Siegan has received the 1987 "Honorable Mention (second place) Award for Excellence in Publishing" for his latest book, "The Supreme Court's Constitution: An Inquiry into the Judicial Review and Its Impact on Society."

The award was given by the Association of American Publishers, Professional and Scholarly Publishing Division at a cerem-

ony earlier this month at the Grand Hyatt Ballroom in Washington D.C.

Siegan was nominated last year by President Reagan to the Ninth Circuit Court of Appeals. Action on the nomination has been delayed because of efforts to fill the vacancy on the Supreme Court, and because of controversy surrounding Siegan's political and judicial views. Hearings on the Siegan nomination commenced once again in late February before the Senate Judiciary Committee.

# Black's Dictionary enters the computer age

by Starr Lee

Computer word processing is fast becoming an invaluable tool for law students with the reams of papers, briefs and casenotes they are expected to digest and output. Many of the common word processing programs include their own dictionaries, spelling checkers and thesauruses, but they don't include legal terms. Notice how quickly the computer spits out the words "incorporeal hereditament" when you run that through a spelling checker.

At least one firm offers a legal dictionary/spelling checker, Reference Software of San Francisco, California. They have taken Black's Law Dictionary and put it into a software program that will check your spelling in legal documents by word, screen or document.

Right now the software is compatible with IBM and IBM compatible computers but only requires 128K RAM memory. A computer with a hard disk is recommended as the program and dictionary do take up more than one floppy disk of memory. It also will combine with many of the major word processing programs for easier access including WordPerfect, WordStar and Microsoft Word.

The program guarantees 16,000 "correctly spelled terms and phrases of

American and English jurisprudence" from Black's as well as the 83,000 words in the Random House Concise Dictionary. It also includes acronyms, abbreviations and many of the shortened forms the legal profession is so fond of using.

This program seemed user-friendly as I didn't need a Ph.D. in computer science to run it. The hardest part I found was installing it because my particular word processing program, Leading Edge, was not on their built-in list for easy installing of the program. The program then had to be tailored by me in somewhat more detail to suit my needs.

But once I found my way into the inner sanctum of the program, (it always feel like such a breakthrough when you get to the reason you bought the program), I found it simple to run. As usual, figuring out which key runs what is the hardest part but the book had many pictures and hints to guide me along.

Having Black's Law Dictionary on your computer can be very useful if spelling is not your specialty. It takes some of the worries out of writing a paper on the "M'Naghten Rule" and wondering if this is the right spelling. (But even the courts aren't consistent on that one.)

For more information on this software write: Reference Software, 330 Townsend Street, Suite 311, San Francisco, California or call 1-800-872-9933.

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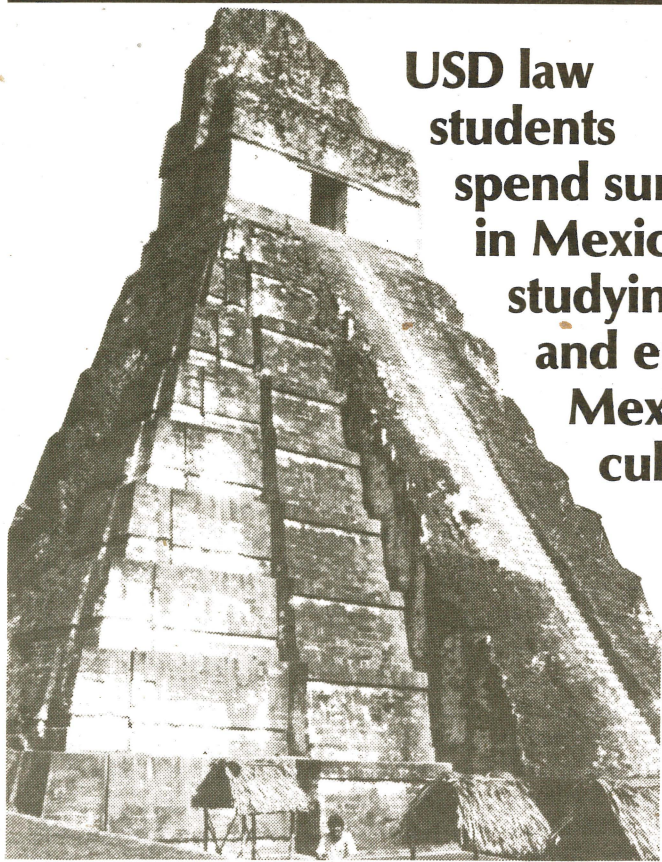
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## USD law students spend summer in Mexico studying law and enjoying Mexican culture

Some of the students visit historic sites such as this in Mexico and Guatemala during the time off. Shown here is Temple I of the Plaza Mayor in Tikal (Whispering Voices), in Peten, Guatemala, a prominent Mayan site.

by David Olan

USD's Institute on International and Comparative Law offers a summer law study program in Mexico City where students can get from one to six units. At the same time, the Mexico City program gives students the opportunity to get to know our neighbors just south of the border, yet worlds away. Indeed, one takes a quantum leap from the first to the third world when stepping over the international border just miles away from our school.

This program is especially attractive to those who are watching their budget. While the dollar has weakened considerably on an international scale, it still has tremendous buying power against the

inflation ridden Mexican peso. Mexico City may not be as romantic and glamorous as London or Paris but your pocketbook will appreciate it. Besides, Mexico has as much cultural intrigue as any place in the world.

The curriculum in Mexico City is broad based and interesting. The emphasis is on courses which are related to international law and trade with a special focus on Mexico. Public International Law and International Business Transactions were popular courses taken by many students. Immigration Law and Mexican Trade and Investment were also offered. Because of the quality of the faculty, these unique courses were valuable for future practitioners with an eye on concentrating their practice toward Mexico and its people.

Needless to say, students who want to improve their Spanish will have ample opportunity to do so. In fact, two Spanish courses, "Survival" and "legal" Spanish, are offered for an additional \$85. Only a handful of students took advantage of the courses. Clearly, the best, most fun, way to learn the language is by conversing with the natives, who are generally more than willing to talk with foreigners.

Many extra-curricular legal activities were included in the program such as trips to the Supreme Court of Justice and the American Embassy. We were able to meet a Supreme Court Justice, providing us with an opportunity to learn a great deal about the Mexican legal system. From a different perspective, conferring with high officials in the U.S. Embassy afforded us an insight into global issues, particularly regarding the relationship between Mexico and the U.S.

Unquestionably, the most interesting event was a visit to former President Echevarria's home. Years ago, Professor Vargas, the Director of the program, served in Echevarria's administration, so the ex-president was willing to meet with us. His palatial home in San Jeronimo, a suburb of the city, was absolutely incredible with beautiful, sweeping gardens and a priceless art collection. It was truly unforgettable, candidly discussing international politics with one of the most influential men in Latin American history.

### Mexico City

Mexico's capital is indeed a city of amazing contrasts: from the ancient, mysterious, pyramids of Teotihuacan to

ing cultural sights and enjoyable restaurants.

Students can also find their own rooms in the surrounding areas. Many stayed in the Posada just a few blocks away. Others found cheap apartments in the city. A few lucky people were able to live with family or friends.

### Travelling

Travel opportunities in Mexico are simply unparalleled. With such places as Taxco, Cuerna Vaca and Guanauato just a bus ride away from the capital, those participating can take advantage of the location to venture off to the many enticing places in Mexico. Every week students would recount stories of their voyages to different parts of the land with intriguing details of interactions with its inhabitants and descriptions of its geographical wonders.

Mexico City is hot and rainy in the summer. Also, the pollution is bad, making escapes a must. Great beaches on the Atlantic and Pacific coasts, such as Acapulco, Cancun and Puerto Vallarta are easily accessible from the capital.

On one crazy, fun-filled weekend, 16 of the students took advantage of a phenomenal deal and flew to Acapulco.

### Practically Speaking

As a practical matter, the Mexico Program is invaluable for students interested in international law in general and Mexico in particular. From a business as well as humanistic point of view, students will gain first hand knowledge on how to deal with Mexico and her Latin American counterparts.

The emergence of factories known as



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Demonstration on the Paseo de la Reforma in Mexico City.

the ultra-modern skyscrapers which line the Paseo de Reforma; the opulence of Lomas and Polanco to the desperately poor living in shacks around the city. Although school takes up some time (if you're remotely concerned about grades), there is enough time to see the many and varied attractions in the capital city while still getting through the courses.

In any case, those who participate in the Mexico City program will not be short-changed when it comes to excitement. Exploring the vast metropolis on foot will invariably result in a new and interesting experience. Students can also take advantage of the exemplary public transportation system to discover other parts of the city.

There are several good restaurants in Mexico City offering a variety of cuisines for a reasonable price. Meals range anywhere from 50 cents to 20 dollars depending on where you go. More importantly (for some of us at least) the night life in Mexico City is exceptional, especially in the Zona Rosa. On any given night, entertainment can be found in the city.

The accommodations at the Hotel Prim, where the classes are held, leave something to be desired. While the Hotel boasts the City's finest piano bar, the rooms are loud and often hot. However, the staff is friendly, the rooms are clean and the price is right. The Hotel is centrally located, within easy walking distance to many interesting areas includ-

"maquilladores" along the Mexican border has become a fertile ground for foreign investment. In particular, the United States has effectively matched the Mexican labor force with its capital to stimulate production. For the most part, this concept has been mutually beneficial by creating jobs in Mexico and profit for the United States. Naturally, U.S. businessmen and attorneys helped bring the maquilladores to fruition.

The harsh reality of a developing nation raises serious questions of fundamental fairness. For years, Mexico has been plagued with corruption and overpopulation. Consequently, exploitation and hunger are pervasive throughout the country. To say the least, spending the summer in Mexico is a real eye opener from an international human rights perspective and otherwise.

Mexico faces many challenges in the future. This summer will be particularly momentous with the ensuing presidential transition there. Now more than ever, the role of the American lawyer is immensely important in bringing about economic and political stability for Mexico.

The increasing number of Mexicans living in the U.S. requires legal attention. Undoubtedly, the Mexico City program helps develop a cultural sensitivity by providing tremendous insight into Mexican life and government. Students should take advantage of the opportunity to live in Mexico while earning units for a modest price.



## Soviet life seen through USD's summer program

by Jimmy L. Hom

(second of a two-part series)

Soviets and Americans have interesting conceptions about each other. American visitors believe that they will be followed everywhere they go by the KGB, the Soviet secret police. The only time I knew I was followed was after I helped an American tourist who wanted to exchange American T-shirts for Russian T-shirts with a Leningrad black-marketeer in front of the Gostiny Dvor department store. Since the black-marketeer did not speak very good English, an essential requirement in his illegal profession, I conducted negotiations in Russian. This caught the interest of someone nearby who decided to follow us. We eventually lost him by ducking into the subway and then jumping on and off a couple of subway trains.

Many Soviets, on the other hand, seem to think that the United States is rampant with crime. "Tell me Jimmy," asked Vladimir, a Soviet Jew who had been thinking about emigrating for the last ten years "do the Clint Eastwood and Chuck Norris movies represent real life in America?"

Vladimir and his wife took part in an illegal video ring that acquired tapes of western movies, transcribed the dialogue into Russian, then passed them around. Last year, the communist party newspaper *Pravda* reported that six people were sent to prison for showing "Rambo" and "Rocky IV," both of which Vladimir had seen and disliked. "No plot," he complained.

I expressed my opinion that I didn't think Hollywood movies usually represented real life. I told him that I wasn't sure that the Soviets and the Americans were so different when it came to crime, only that we had different limitations. Alex, whom I had met on the train to Leningrad and who had driven me over to Vladimir's apartment, removed his rear view mirror and his radio antenna and put them in the trunk every time he parked his car. He also kept his windshield wiper blades locked up and installed them only when it rained.

However, like most Soviets, he felt comfortable leaving valuable things in his car in open view as long as the doors were locked. Thus, I explained, both Americans and Soviets have citizens who steal. The only difference was that an American thief would not always be deterred by a locked door. I'm not sure that Vladimir understood my somewhat strained philosophical distinction.

There are over one hundred different nationalities in the Soviet Union. At the Alexander Nevsky Monastery in Leningrad, I struck up a conversation with a woman from Kazakhstan, located in Soviet Central Asia. She was curious about me because she and I shared similar Asian facial features. I was curious about her because a few days earlier, a Lithuanian friend had gotten me past a passport checkpoint at a radio tower/revolving restaurant in Vilnius by telling the guard that I was her friend from Kazakhstan. (I had forgotten my American passport at my hotel.)

I asked the woman in Leningrad what life was like in Kazakhstan. "Good," she said, "very good." I then expected her to ask what life was like in the United States. Instead, she continued, "and I understand that you have a lot of unemployment in America and that Blacks don't like it there."

Article 36 of the Soviet Constitution outlaws racism in the U.S.S.R. At least until Gorbachev's *glasnost* (openness) campaign, racism did not officially exist. Nevertheless, there is probably a lot more racism in the U.S.S.R. than the Soviets will admit and probably a lot less racism than they think exists in the United States.

Generally, the only Blacks in the Soviet Union are students from third-world and "socialist brother" countries, along with an occasional tourist. I met Steven, who was Black, in Kiev at the "Monument Commemorating the Reunification of Ukrainians with Russia." He was learning how to use his new Russian Zenit camera and had already ruined two rolls of his East

German film that day before I got to him. He had just finished the first year of study in the Russian language, as well as his introductory political courses (e.g., Marxism-Leninism, dialectic materialism, history of the Soviet communist party) and was preparing to go back to Chad for part of the summer. Next year, he would begin his actual five years of study at Kiev State University (KGU).

I talked him into showing me the dorms where he and the other foreign students lived. First, he agreed to go with me to the hard currency store (i.e., a store for tourists that accepts only western money) to pick up some American perfume for a couple I was having dinner with that evening. After completing my purchase at the store, we attempted to hail a cab but none would stop. I had never had a problem getting a taxi in the Soviet Union before but, after the sixth empty cab passed us by, it became clear that they weren't stopping because of Steven.

I was running short on time and, not wanting to hurt his feelings, suggested that we stand at different street corners to double our chances. The first one to get a cab would yell to the other. He agreed that it was a good idea. I flagged down the next cab that came by, Steven ran over and hopped in, and we headed for his dorm.

Later that day, we went to the KGU campus, over an hour away by bus from the dorms. Near the university, we ran into three of Steven's friends, who were from countries in North Africa. After deflecting as best I could their attempts to get me into a long discussion about Reagan, Gorbachev, and disarmament, they started complaining about life in Kiev.

"Racism," said one, while the others joined in in agreement. "The Russians are all racists."

"The Russians don't like us here and we don't want to be here," said another.

The tirade went on for another five minutes until Steven managed to pull me away from the group. Before I left, I promised to try to find some American pen-pals for them.

### Glasnost and Perestroika

This summer was an exciting time to be in the Soviet Union. Every official we met without exception spoke of *glasnost* and *perestroika* (restructuring), the buzzwords of Gorbachev's campaign to reform the Soviet political and economic system.

Although some of the Soviet citizens I spoke with felt that the reforms were overrated and had not yet affected the average person in any substantial way, the beginnings of change could still be seen. For example, at the Institute of State and Law of the U.S.S.R. Academy of Sciences in Moscow, a leading legal think-tank, the legal scholars openly discussed with us some of the proposed revisions to the 30-year-old Soviet criminal code. All of this took place five months before the Soviet press agency, Tass, officially announced in early November that the criminal code was being rewritten.

### Farewell

Most of us in one way or another found in the Soviet Union what we expected to find. Those that expected to find corruption were able to meet black-marketeers willing to show them the seamier side of the Soviet system. Those who wanted to find night life were able to locate tourist-filled discotheques. For me, I expected to find a beautiful country populated with a wondrous people. I found it.

(Reprinted with permission of author.)

### First-years get message folders

At long last messages can be left for the first-year students in message folders on the first floor. The folders were supplied by the SBA in mid-February in response to comments from the long-forlorn first-year students.

## Rough sledding at USD "Winter Olympics"

by Thomas Mauriello

Legal Articles Editor

It is February 24, 1988, and here is a day in the life of a participant in the USD Winter Olympics. Unlike the games held in Calgary, these are contests of desperation and fear rather than grace and athleticism.

First, the Book Return Event. This has traditionally been a very difficult event for students to master, often due to weather conditions. Well, no weather excuses for me. It was a clear, crisp San Diego day—perfect conditions for this event. I drove onto the campus, but there were no parking spots available in the lot next to the Copley Library/Stadium. Because I planned to set a new speed record for the Book Return, I parked in the reserved parking lot next to the track. Surely the Judges would not disqualify me from this event for this infraction, after they had been dazzled with my speed.

I entered the Copley Library/Stadium well aware that I was a step behind the other competitors, in that my library book was one day overdue. Moreover, I had been told by an undergraduate last week that the Olympic Commission was cracking down on such infractions with draconian measures, namely a \$5.00 fine for any overdue book! And to think, the Commission gave only a mild wrist-slapping to a group of law students caught using steroids before their exams last semester! Well, I knew that the Commission is a bigger, wiser body than I am, so who am I to take issue with them?

Still, I wasn't going to suffer this drastic loss of five points from my score without a fight. So I readied myself to engage in

a task which I have honed constantly over the past two and a half years: I was ready to argue, and, if necessary, bullshit, my way around this obstacle. I had done the same thing to win two Parking Ticket events last semester. My advocacy skills got the judges to remove the entire 25 points in the first event, and to penalize me just 10 points (instead of 25) in the second event. My tactics: flood them with paper! I submitted reams of appeals, pointing out statutory ambiguities, policy considerations, arguments in the alternative, and also including homemade maps to supplement my case.

Unfortunately, this time I was unable to brief the tribunal before argument, so I would have to rely solely on my oral advocacy skills to avoid penalties in the Book Return. I took a deep breath and approached the Judge at the library circulation desk. I started off with the basics: "I'd like to return this book." I looked sincere as I brandished the thick tome, which I never even had a chance to read (which makes me wonder why a law student would even bother entering the non-law Book Return Event, anyway!)

To my amazement, the Judge did not even scrutinize my performance closely. He simply responded. "Sure. Just throw it in the bin." (He spoke English.) So, with my best form, I tossed the book into a slot built into the desk. My smooth follow-through carried it across the little rollers and into the bin. I wasn't going to be the one to point out the weakness in my performance to the Judge, so I simply bowed several times and left the Copley Arena. Let the Commission track me down later, if they wanted to.

(Continued on page 12)

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2/23/88



Faculty Profile

Professor Friedman witnesses three decades of change at USD Law School

by Ragi Dindial

"You could say that law and teaching are not my only passions in life; so is music." Professor C. Hugh Friedman says this with a look which makes one sense that he would rather be jamming. Had his father not been a lawyer, perhaps we would be seeing Friedman on stage at Elario's rather than behind the podium in Fletcher.

Although his father died when Friedman was only six, he made a profound impression on Friedman. Graduating with record honors from law school was one of his father's many outstanding achievements. Friedman felt he was programmed to follow his father's footsteps and had planned to be a lawyer since he was in junior high school.

Friedman's mother moved the family from a small Indiana town to the Bay Area. There he graduated from high school as the class valedictorian. He would have gone directly to U.C. Berkeley except that Yale had began a new regional scholarship program. The recipient of a full scholarship, Friedman packed his bags and caught a train to New Haven. His trainmate for the three-day, two-night

journey was a freshman named Edwin Meese. The two have been in contact ever since.

Majoring in English, he graduated from Yale and headed right to Stanford Law School. Again he received a full scholarship. At Stanford he made law review; ironically, his lowest law school grade was in Corporations. When asked what it was, he says "low" with a grin.

New school on the hill

Upon graduating, Friedman worked for two years in the Attorney General's Office under Pat Brown. He then moved down to San Diego to join a private practice with two colleagues from the Bay Area. Both of these attorneys were teaching at a new evening law school on the hill. They asked Friedman if he too would like to teach. He loved the idea.

So 30 years ago Friedman began teaching Constitutional Law at USD. As an adjunct professor, he did not teach the same course twice. "I often thought of myself as the garbage can of the faculty," quips Friedman, "simply picking up whatever courses the others did not want". He taught at night, and he was exposed to a diversified practice during



Photo by K.L. Chapman

Prof. Friedman started teaching at USD when it was just "a new evening law school on the hill." He still harbors a special feeling for the evening program.

the day. He practiced such areas of law as marine and admiralty, corporate, banking and labor. He represented a number of corporations including a growing conglomerate.

Since the USD law students at that time were usually older, mature and mainly full-time professionals, Friedman preferred to use a lecture style. Further, he did not believe he possessed the experience or understanding of the material necessary to effectively use the Socratic method. He began specializing in Corpo-

rations in the early seventies, due to a combination of doing more corporate work and teaching a business planning course.

It was not until he joined the faculty full-time in 1977 that he pushed to teach in a field where he had developed practice expertise. When the Corporations course opened he began teaching it as well as business planning. Armed with considerable mastery over the subject, and with

(Continued on page 11)

Loan consolidation may be helpful strategy in financing tuition

by Rick Osborne

Loan consolidation is a concept whereby a borrower with loans from more than one lender may contract with one of those lenders or with yet another lender in order to establish one "consolidated" loan, with one interest rate and one repayment period.

The reauthorization of the Title IV Student Assistance Programs has included a loan consolidation provision that will aid the student in repayment of those loans of \$5000 or more over a long period of time and at a different interest rate. If you are a borrower with high debt and/or multiple types of loans facing several monthly loan payments, this program has been created to help you more effectively manage student loan repayment.

It lets you combine payments of certain kinds of educational loans in a single monthly payment and/or extend repay-

ment up to twenty-five years. Existing student loans are repaid by a consolidation lender and a new loan is made. You must repay in full according to the new loan's terms and conditions.

To be eligible for a consolidation loan a borrower must, at the time of application for the consolidation loan:

- 1. have a total outstanding indebtedness of not less than \$5000 under the NDSL, CLAS/PLUS/ALAS/SLS, HPSL, and GSL Programs;
- 2. be in repayment status or in a grace period preceding repayment;
- 3. not be delinquent by more than 90 days, if a repayment, on any required GSL, CLAS/PLUS/ALAS/SLS, HPSL, or NDSL repayment; and
- 4. not be a parent borrower under the PLUS program.

POINTS TO REMEMBER:

- A consolidation loan has a fixed interest

rate of at least 9% but not higher than 12%. If you have multiple loans and/or lower interest rates, consolidation could still save you money and reduce the number of payments each month. The money and time saved may offset an increased interest rate.

HINT: Refinance Supplemental loan first (ALAS/CLAS/SLS).

- Extending repayment beyond ten years lowers monthly loan payments in most cases, but you will end up paying back more interest over the course of repayment.
  - Fewer deferments are offered under consolidation. In addition, you pay interest during deferment, instead of the government. You may choose to defer interest and have it added to the principal amount of the loan. This is called "capitalization" and it increases the total amount you must repay.
- Forebearance for SLS through the Law

Access Plan may be applied for for up to one calendar year while studying for and taking the Bar. This option is waived through consolidation.

Only GSL or FISL, ALAS or SLS, NDSL, and HPSL type loans may be consolidated. Consumer loans and other student loans are not eligible. LAL/Grad Ed Loans, and Tuition Credit Loans are considered consumer loans and may not be consolidated — if these represent the majority of your debt burden, consolidation is a marginal advantage.

- You and your spouse cannot combine loans. Neither can you combine your loans with loans your parents took out on your behalf.
- No origination or guarantee fees may be charged to the student for the consolidation of loans. Special allowance to lenders on Consolidation loans is T-bill plus 3.25%.

A WORD OF CAUTION: This is not a cure-all! Although consolidation offers many advantages for some borrowers, it may often provide only marginal benefits for other borrowers. For those whose loans are at interest rates below nine percent or for whom the weighted average of those loans would be below nine percent, consolidate only if you must.

Strategize! Maybe consolidate only certain loans. Perhaps you can manage that five percent payment on your Perkins/NDSL loan. If you intend to consolidate a Supplemental Loan (ALAS/SLS/CLAS), inquire about refinancing first if this loan was financed at 12 percent. Current rate is only 10.27%. Don't forget your Tuition Credit Loan and Law Access Loan/Grad Ed Loan payment when projecting monthly student loan repayments. Finally, if your bank doesn't offer consolidation, you may approach other lenders who do participate in consolidation programs.

Initially, for most student borrowers, student loan repayment will represent a significant part of your earnings. However, careful debt management, to include a detailed budget of living expenses, will allow you maximum utilization of your beginning earnings. Consolidation may provide for more discretionary money in the early years, it may subsequently reduce discretionary choices for the lengthened term of the consolidation loan.

COMPARISON OF REPAYMENT TERMS\*

STANDARD VS. CONSOLIDATED REPAYMENT TERMS

The examples displayed below are sample payments of school loans. Compare the total of repayments shown in each example with the total of each consolidated payment. In most cases, the consolidated loan monthly payments will be less than the sum of the individual loans but the total amount repaid will be greater as a result of the higher interest paid over a longer period of time.

			STANDARD REPAYMENT TERMS			FLAT RATE OR FIXED REPAYMENTS CONSOLIDATED REPAYMENT TERMS					
GSL	\$20,000	7%	10 years	\$232.22	\$27,866.40	9%	20 years	\$251.92	-27.1%	\$ 60,460	+60.4%
Perkins (NDSL)	\$ 6,000	4%	10 years	\$ 60.75	\$ 7,280.00						
CLAS/SLS	\$ 2,000	12%	4 years	\$ 52.67	\$ 2,258.16						
ALL LOANS	\$28,000			\$345.64	\$37,684.56						
GSL	\$30,000	7%	10 years	\$348.33	\$41,799.60	9%	25 years	\$427.99	-26.1%	\$128,397	+84.7%
Perkins (NDSL)	\$15,000	3%	10 years	\$144.84	\$17,380.80						
CLAS/SLS	\$ 6,000	12%	10 years	\$ 86.08	\$10,329.60						
ALL LOANS	\$51,000			\$579.25	\$69,510.00						
GSL	\$40,000	7%	10 years	\$464.43	\$55,731.60	9%	25 years	\$545.48	-28.1%	\$163,644	+79.5%
Perkins (NDSL)	\$10,000	3%	10 years	\$ 95.56	\$11,587.20						
HPSL	\$10,000	9%	10 years	\$126.68	\$15,201.60						
CLAS/SLS	\$ 5,000	12%	10 years	\$ 71.74	\$ 8,608.80						
ALL LOANS	\$65,000			\$759.41	\$91,129.20						

\*NOTE: The standard repayment terms are estimates of typical sample repayments; consolidation terms provide sample repayment terms based on a fixed or flat repayment amount over the repayment term. This chart does not compare graduated repayment terms. Each consolidation lender may offer slightly different repayment plans. The interest rate for consolidated loans is 9% or the weighted average of the loans consolidated, whichever is greater.



# USD Law School grad Patricia Benke climbs California's judicial ranks

by Katy Blanck

Court of Appeals Justice Patricia Benke, USD J.D. '74, is satisfied to "rest for awhile" at that appellate post after her quick rise from the Municipal and Superior Courts to her current position



Justice Patricia Bende, USD, J.D. 1974, is now a Court of Appeals justice for the 4th District.

at the 4th District, within a period of less than four years.

Benke came very close to making her swift ascent through the judicial ranks even more dramatic with a near appointment to the California Supreme Court. In November 1986, Benke was the only female judge among six finalists that Governor George Deukmejian considered before he filled the three openings on the Supreme Court.

The three candidates that the governor ultimately chose were all former appellate court justices, and at that time, Benke was still at the Superior Court. Consequently, her lack of appellate Court experience was the likely reason she was not offered the appointment.

Benke recalls that she had no idea the governor would consider her for a spot on the Court. "It was the furthest thing from my mind. You simply do not go through the system that quickly," Benke said.

From a career and personal standpoint, however, Benke is actually relieved the final appointments turned out like they did. She feels lucky to have had the chance to be an appellate court justice before serving on the Supreme Court.

## Appellate Court

"Now that I have been in the appellate position for almost a year, I realize that

it's so important that a judge has this kind of experience. Besides, you can only move along so quickly before you stop absorbing through the learning process," said Benke. However, Benke is careful to add, "I was definitely honored by the confidence the governor showed in me."

The final outcome of the Court appointments also worked out well for Benke from a personal vantage point. Benke's two children are still in elementary school and her husband has served as production supervisor at KPBS-TV for close to twenty years, so "at that point, we really didn't want to move from San Diego," she said.

Now Benke's aspiration is to "stabilize my personal life, since we've been through so much in four years. There have been four jobs, two kids, and we are also building a home. I would just like to sit and enjoy all that for awhile," Benke said.

She attributes her quantum leap through the California judicial system to the simple fact that she truly loves what she is doing and she adds, "so much of it is a matter of luck and, of course, hard work."

Her colleagues praise her diligence, intellect and political know-how as the secrets to her success.

Benke certainly did gain the confidence of the key political ties at the right time. She worked as deputy attorney general under Governor Deukmejian when he was state attorney general. The attorney general's office recruited Benke during her last year at USD. She worked there for nine years while specializing in criminal matters and building her reputation as a tireless worker.

Obviously impressed by Benke's work in that capacity, upon his gubernatorial election Deukmejian appointed her to the San Diego Municipal Court in 1983, promoted her to the Superior Court in 1985 and then to the 4th District Court of Appeals in 1987.

At USD, Benke served on the law review, and as a result of that experience, discovered that "researching and writing was what I enjoyed doing most," she said. She set her career goal in law school as finding a job where she could use these skills, but she did not consider becoming a judge during those years.

Now, as a judge, Benke spends most of her time using those invaluable skills. Benke describes her job as hearing cases three or four days each month and spending the rest of the time researching and writing, as well as handling the administrative business of the court.

Consequently, her advice to USD's aspiring judges is that they "must have the right disposition if they want a career that's only researching and writing. If you enjoy the limelight and the glory of the courtroom, then becoming a judge or research attorney is not what you should do," Benke said.

However, Benke thoroughly enjoys that type of work and has especially felt fortunate for the opportunity she has had to serve in the California court system where she has seen "tremendous changes" in the law. "It is fascinating for me because

I have been able to see, in one area, search and seizure, the law just come absolutely in a full circle," Benke said.

She has seen changes occur in herself too. Described as a conservative, "get tough on crime" judge in the Superior Court, she says her views are constantly evolving.

"Sitting in this position, a lot of your philosophies and views you have not known about before begin to emerge and evolve because you've never handled that particular type of issue before," Benke said.

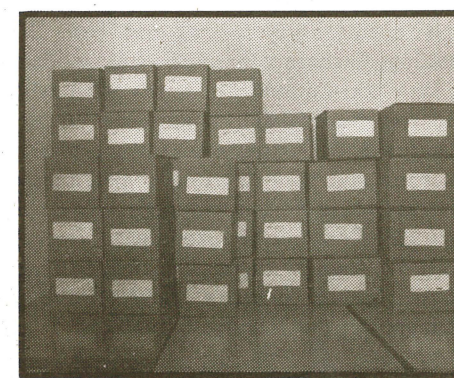
The most challenging part of her job has been dealing with the cases which necessarily demand analysis of complex issues and legal concepts. "How can you take an extremely complicated legal concept and winnow it down to a fair number of pages and make it understandable? Those are the tough cases and they're the ones I enjoy dealing with the most," said Benke.

Benke's desire to take on the most intellectually challenging cases, coupled with her love for her job, may eventually pay off for her again with another Supreme Court consideration. Now that Benke has served as an appellate court justice, she is of course in an even better position to gain a seat on the California Supreme Court. But, for now, Benke is content to "rest for awhile" on her upward surge through the judicial ranks.



Pat Bermel, left, stands among the empty shelves which formerly held government documents. The same material is now stored on microform in the boxes shown below.

photos by K.L. Chapman



## Discover world of gov't. documents and microforms

The door is always closed, but students are always welcome in Room 210, the Law Library's Microforms and Government Documents office. Once discovered, the staff and collection resources of Room 210 become vital to most law library researchers.

The librarian in charge, Mary Lynn Hyde, is one of the Law Library's most experienced and knowledgeable employees. She excels in helping with some of the most daunting forms of legal research: doing legislative histories, finding state and federal bills, searching out a committee hearing, digging into United Nations publications, unwinding the mysteries of the *Congressional Record* or *Federal Register* — in short, any research that involves government documents and materials on microform.

Additional friendly assistance is available from the library assistants who help staff Room 210. Judy Lesser could not be more familiar with the research needs of law students. When not busy at the Library, she is a law student herself. Pat Bermel, who earned her library stripes with seven years of service at the Circulation Desk, is a familiar face to all library users. She has just been "kicked upstairs" in a transfer that will use her accumulated skills and knowledge of the Law Library.

Along with some dedicated student

workers, this staff processes thousands of publications the Law Library receives annually in its capacity as a California and federal documents depository. These employees also work to make a very large collection of microforms accessible to users. With over 30% of the Library's collection in microform, researchers who have not ventured into Room 210 miss invaluable sources and a wealth of legal research data.

As with all library materials, the card catalog is the key to microforms and documents holdings. These sources are fully cataloged. If in book form, documents are given a call number and shelved with other items in the collection. Microforms are given a locational number in the card catalog and the card is marked "MICROFILM" or "MICROFICHE." The locational number will guide users to a specific microform storage cabinet in Room 210.

Savvy researchers will plan their microform research to coincide with the warmest days of the year. That door to Room 210 is always closed because it is the one air conditioned area in the Law Library. Air conditioning is necessary to provide a controlled environment for preservation of the microforms. Stop in, cool off, and let the Microforms-Documents staff help you solve any remaining mysteries about Room 210.

## Center for Public Interest Law internships available

The Center for Public Interest Law is presently recruiting current first-year day students interested in administrative, regulatory, consumer, environmental, or public interest law for a limited number of internships available during the 1988-89 academic year. Selected students are given the opportunity, unique in the nation, to participate first-hand in the state's regulatory process and to have articles they write published in the *California Regulatory Law Reporter*, the only legal journal of its kind.

Center students take a year-long, four-unit course entitled California Administrative Law and Practice. As part of the course, each student monitors two or three of California's sixty regulatory agencies, which include the State Bar, Public Utilities Commission, the Department of Banking, the Athletic Commission, the Coastal Commission, the Board of Medical Quality Assurance, and Cal-OSHA among others. Students attend agency meetings, monitor and analyze their activities, interview agency officials and licensees, participate in rulemaking and track legislation affecting agencies. Students submit two articles each semester, summarizing agency activities, for publication in the *Reporter*.

Following the yearlong course, many Center interns pursue (for additional credit) an advocacy project involving one of the agencies. In the past, these projects have included petitioning the agency to adopt regulations, drafting model legislation, filing suit to enforce the Administrative Procedure, Open Meetings, or Public Records Acts, or submitting amicus briefs on issues pending appeal. Student critiques of publishable quality often appear as feature articles in the *Reporter*, and also satisfy the school's written work requirement.

The Center is directed by Professor Robert Fellmeth, who is a former Nader's Raider consumer advocate, a former Deputy District Attorney and Assistant U.S. Attorney, and who is currently serving as the State Bar Discipline Monitor under appointment by state Attorney General John Van de Kamp. The Center is staffed by two experienced public interest attorneys, including former Center intern and USD graduate Julie D'Angelo.

Interested students are encouraged to attend orientation meetings scheduled for Monday, March 21 at 3:30 p.m. in Room 3A or Thursday, March 24 at 2:30 p.m. in Room 3C.



# Friedman sees changes in three decades at USD Law School

(Continued from page 9)

fulltime day students, Friedman switched to the Socratic method.

Friedman points out many changes he has noticed over his 30 years at USD School of Law. The most obvious was the change from a part-time to full-time accredited law school. "At the very beginning the students were all part-timers. So was the faculty. So was the facility. Everything was part-time. And it was all unaccredited. So I have watched the school grow into a full-fledged, full-time, institution," observed Friedman.

These positive changes allowed the law school to seek a full-time professional faculty. He is pleased with the distinction and diversity of the present faculty. The planned library improvements will be the next major step in increasing the law school's stature in the legal community.

## Night program nostalgia

One thing that has not changed is the evening program. Friedman maintains a sense of nostalgia for the evening program. "I am glad we kept the night division. I have always had a soft spot for the evening students since I began with them. I think, generally speaking, those who come at night, who are working full-time during the day, tend to have had

a lot more life experience, so they have a certain maturity and perhaps a seriousness and intensity of purpose and motivation," says Friedman.

So what does he think about day students? He notices that lately there is a tendency for full-timers to become part-timers because they are devoting so much time to clerking and other activities.

"On the one hand it is understandable that they would want to see some real life legal action and earn some money, and perhaps get a leg up on a career opportunity, but what suffers is their preparation for class, their participation in class, their enthusiasm and energy in class," notes Friedman.

Friedman would like to see the students spend more of their first two years devoted to the academic life. He believes the clinics provide ample practical legal experience, and that students should wait until their third year before spreading themselves out. To do otherwise, he contends, is shortsighted on the part of the students. "The best way to get a good job is to come out near the top of your class." He urges students to pour it on first and second year and wait until third year to clerk.

He is sympathetic to the financial pinch that comes along with \$9,000 per year

tuition bills. Friedman feels fortunate that he had his full scholarship. He believes the next major mission for the law school is to tap into the resources of the 30-year alumni base in order to raise funds for a comprehensive scholarship program.

Friedman discussed the habit of alumni donating to their undergraduate alma maters rather than USD law school: "A dollar donated here can go a lot further, make a lot bigger difference and is much more important at this institution at this time in its development than a dollar or two to a well endowed university elsewhere. Here it is a matter of having a dramatic impact on our growth."

## The California Practice Guide: Corporations

One of Friedman's many distinctions as a USD professor is his practice guidebook. The book began as a result of Friedman's becoming a fulltime professor. He was frustrated having to rush from clients to classrooms without sufficient time to plan for class. He was faced with the challenge of how he could most effectively get the material across. So he began to put together in writing some of the things he had learned as an attorney about business planning.

Upon becoming a full-time professor,

he began collecting material in the field of business practice. He was concerned about the increasing number of sole practitioners and young partnerships which lacked experienced senior partners who could supervise and advise. The book was written as a substitute for the senior partner these young lawyers did not have to turn to.

The Rudder Group was in the process of publishing a series of books aimed at the same market. An alumni of the law school who had worked for BarBri and the Rudder Group devised the idea and contacted Friedman for the corporation volumes. This suited Friedman fine. "I decided rather than write law review articles, I would take on the development of a corporate practice treatise."

In 1984, the first five chapters were originally published as a book on choice of business entity, which was supplemented by a workshop. The full text came out in 1985 and he has been updating it since. The guidebook is presently in its third edition. This is the only work which "has tried to integrate with the basic corporate law, relevant federal and state securities law considerations and the corporate tax law."

He has received positive feedback from other professors who have used it in teaching business planning. The book, however, is mainly for practicing lawyers. The practicing bar has responded favorably and he is frequently invited to teach business law update workshops. The most satisfying response to his work though came in the form of citation as authority in recent California opinions. One opinion referred to him as a well-regarded commentator.

## Corporate law authority

As a result of being considered a leading authority on corporate law, he is frequently called on to consult other attorneys. For this reason he has maintained a part-time consulting practice. This should be helpful to students who missed class while out clerking.

In order to keep his book current Friedman follows state legislation in the corporate code, is a member of the California Commission on Corporate Governance, Shareholder Rights and Securities Transactions, monitors federal regulations and reads the advance sheets regularly for cases in his field.

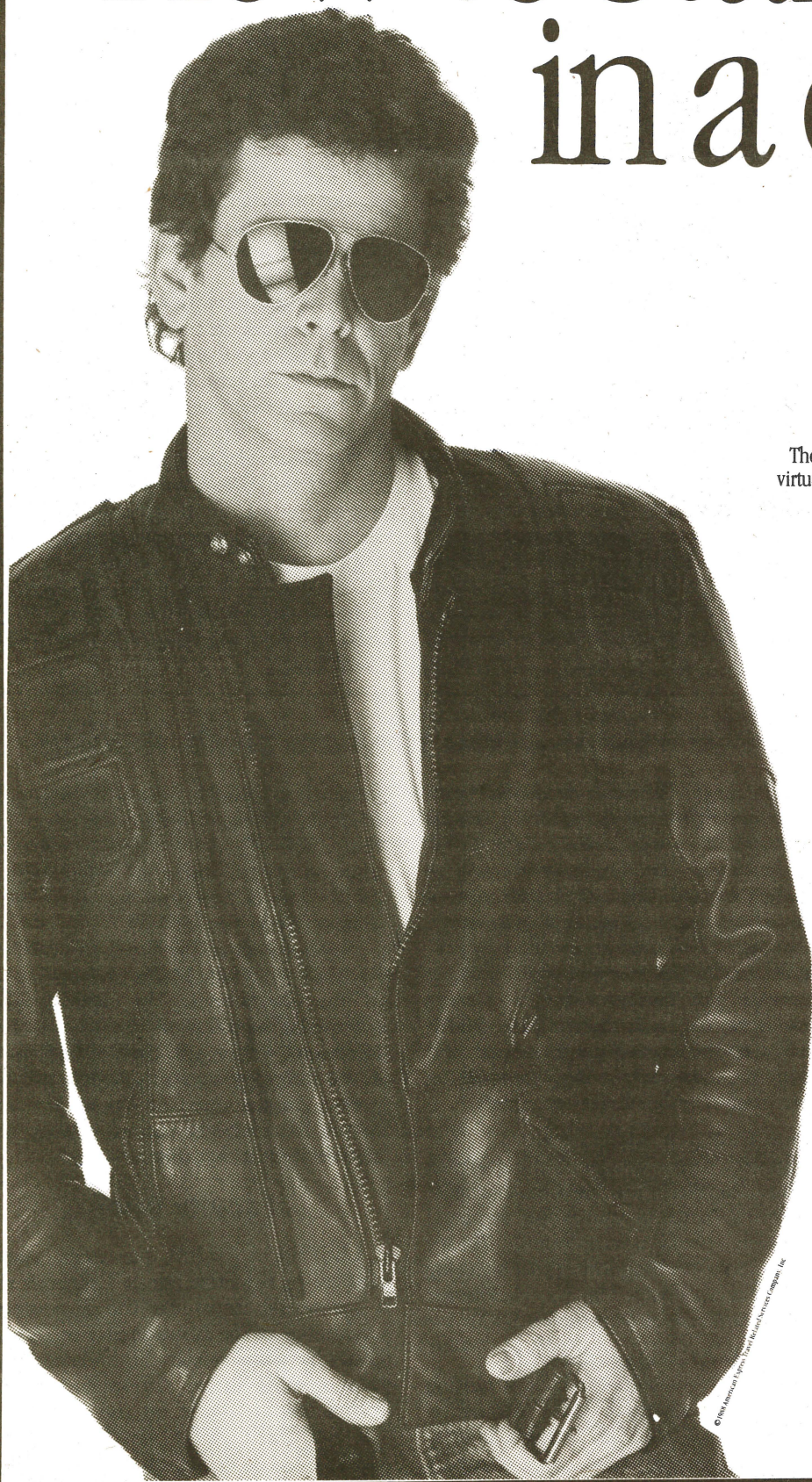
Not only does Friedman teach, consult, and write, he is also a founding member of the California-based Center for Civic Education, and serves on the board of the National Institute for Citizen Education in the Law. The purpose of these organizations is to improve the public's understanding of the law and the legal system. He also served as the president of the California State Board of Education from 1983 to 1984.

With all that he does Friedman still has some time left to devote to his wife, Lynn, and keeping track of his three children and two grandchildren.

While he was teaching in the summer program at the Paris Institute, Friedman made a special side trip to the Selmer Factory, which produces some of the best woodwinds in the world. Taking advantage of the then-favorable exchange rate, he picked up two clarinets.

So, after thirty years of continuous service at USD (he considers himself the resident artifact), Friedman still prefers law as a vocation and music as an avocation. He feels more enthusiastic about going to class and sharing his excitement about business law with the students than he ever has. The highest compliment comes when students call him after the exam grades have been posted, and after they graduate, to tell him that they learned something, enjoyed themselves, or gained from the experience. Maybe it is better that he did not go on the road with Harry James.

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## USD offers assistance for problems

(Continued from page 5)

"Have the professor identify the deficiencies the student has in exam-taking techniques," Salt suggests. Poor test results can result from lack of knowledge or skill or just a deficiency in exam taking: not identifying issues, too conclusory, not setting rules or not applying rules to the issue. Organization in writing, or lack of it, can also affect exam grades.

Many professors keep practice exams on file in the Law Library with model answers. Taking the exam, then discussing the answers with other students can be extremely beneficial. "Going over it, you can see why and how other spotted issues," Salt said.

In development now is an "essay writing workshop" to be given this semester to discuss some of the common problems and techniques of essay writing.

### Tutors/tutorials

Revisions of the tutorial program is also in the works by Salt. The tutorials now are available first semester to students with lower entrance performance indicators (LSAT and grades) but who show potential for law school. The tutorials are to give these people some "extra support."

After the first semester, the tutorials are only open to students whose grades are below specific grade cutoffs. The tutorials' purpose are to give some individual attention to students and so the numbers are limited in the classes, Salt said.

But other students who want some extra help can hire tutors on a fee basis. Salt can help students locate such tutors. Other available resources are the Law Library books, and the lectures and workshops of the commercial organizations which are often free. But, Salt cautioned, "Remember what professor's

exam you are taking."

The bottom line is that there are many different approaches to making and maintaining grades by studying, outlines and exam taking, and a student has to find out which methods are the right ones for him.

### Someone to talk to

USD has several resources that offer guidance, assistance and someone to listen when a student's personal problems overwhelm their lives.

Trained psychologists and counselors offer individual, group and couples psychotherapy and counseling at the Educational Development Center. For people who are unsure about talking to a psychological counselors, Dr. Kathy Kashima, staff psychologist, assures students that they aren't committed (no pun intended) by a first session.

Located in Serra 303, students can come in for "one shot" talks or just call in at 260-4655 to decide if the counseling would be helpful to them. The counselors are available to talk about any subject that bothers students, from roommates and lifestyle to exam anxiety and stress. The Center also sponsors workshops like the "Surviving Law School Hazards" Workshop offered March 9 and 15 at the Law School.

USD also offers spiritual counseling through the offices of the Campus Ministry, University Center room 238, 260-4485. Sister Carlotta DiLorenzo, the Law School chaplain, gives spiritual assistance by individual counseling, group activities like retreats and workshops and just being willing to listen.

Students shouldn't feel stigmatized by seeking assistance for any of their problems, Heiser said. "Stress is an unfortunate predictable byproduct of law school and (students should) feel free to use these services."

## Rough sledding at USD "Winter Olympics"

(Continued from page 8)

While walking down the steps, I was gloating to myself about having avoided the five point penalty in the Book Return Event. My self-congratulation dampened, however, when I remembered that my parking in the reserved lot automatically qualified me for the Parking Ticket Event. I knew that the performances of the Judges was notoriously uneven in this event. What's worse, the athletes never know the starting time of the event, so they can be disqualified before the game starts!

By now completely worried about my performance, I began to jog across the street toward the parking lot, my eyes fixed on the field ahead of me. I thought I saw a white pickup truck in the middle of the lot, and next to it a man in a cap and a green jacket. Could it be? Was that a Judge in my parking lot marking scorecards already? I had only been at the Book Return Event for two minutes, and already the Parking Ticket Event had begun!

My jog turned into a light run and I reached the Parking Lot Stadium in no time. I looked, but there was no scorecard on my windshield. Fortunately, the Judge had not reached my vehicle yet. He was across the lot scoring a small vehicle from another country. My American car was safe, for now.

I left the Stadium having avoided a penalty of twenty five points. The Parking Ticket Event was truly made for the swift of foot—and the lucky. Ironically, I noticed as I drove away that the Judge was anything but swift of foot. In fact he was severely overweight. Those Russian Judges should lay off the vodka, I thought.

Having survived without penalty both the Book Return and the Parking Ticket Events, I was ready for the event that had become my true specialty: the pre-class

Law Parking Event. Luckily, I had practiced this event in all weather conditions, and I was intimately familiar with the course. I drove off the straight-away onto the track and began my cycle of figure-eights, circles, and other maneuvers while waiting for a spot.

There were many other drivers in the event, and we were all competing for the few legal spots. There were two penalties for poor performance in this event: being late for class, or the twenty five point penalty for finding the wrong spot.

After 15 minutes of laps, I unexpectedly found an opening in the row of cars two over from More Hall. Hah! My seething bitterness turned to elation, and, smug in my newly found spot, I laughed as I saw the other players still driving around, like vultures looking for carrion.

For some reason, while actually playing the Law Parking Game, one feels that dumb luck is all that is required to win. But once the player lands a spot, that feeling shifts and the player believes it is driving skill, and nothing less, that has led to victory.

Looking back on this day in the life of one participant in the games, it seems that my guile, speed, savvy and Luck pulled me through without suffering one penalty point. The sad part of it is that I don't even get a medal. What's worse, I have to perform most of these events again—in fact, for the rest of the semester. I mean, I'm sure the Olympic Commission has sound reasons for imposing five point penalties for books that are one day overdue, and for imposing 25 point penalties for parking violations. But those kinds of penalties sure break my concentration for those other Olympic Events, like the Checkbook Balance and the Law Study Event.

I hate to be negative, but the only good thing about the USD Winter Olympics is that there is no real winter in San Diego.

## Should I stay or should I go? Law School grade requirements

by Starr Lee  
Editor

Second and third-year students must maintain a 75 cumulative average or be put on probation. If the student fails to improve his cumulative average to 75 or above at the end of the probationary semester, the student is academically disqualified. After two years of academic disqualification, a student may apply for admission de novo to the next entering class.

First-year students take year-long courses so if a first year gets less than a 75 in his first semester, the student is informed of his academic difficulty. If the grades are not brought above 74.50 at the end of the first year, the student is academically disqualified.

There are few exceptions to the disqualification rule, but there are a few to accommodate the various twists students' grades can take. If the first year student's fall semester average had been 80 or above, 74.50 at the year end would not disqualify the student. Also, first-year students who received 75 or above in all but one course in one or both semesters are not disqualified if they have less than a 74.50 cumulative average.

First-year students whose averages are between 74 and 74.49, and who are not disqualified for nonacademic reasons, are entitled to readmission de novo in the next entering class the fall semester after the student has not been enrolled for a full academic year.

### Readmission

An academically disqualified student can transfer to a non-ABA school but cannot apply to any ABA-approved law school for two years. Heiser said that many students do go on to finish at non-ABA schools but it can limit where you can practice.

The school does not set a certain percentage of students it must disqualify each year. The number of students with academic problems (probation and academic disqualification) ranges from 3% to 10% of the students.

Students with a year end cumulative average between 74 and 74.49 may petition for readmittance to the Petitions Committee. This Committee, consisting of five faculty members, conducts hearings on the merits of a student's case. Three of the five faculty members must vote in favor of the student's readmission or else the student will not be readmitted.

Petitions for readmission generally are

not granted. The Academic Rules of the Law School specify many factors that the committee members can and cannot consider as part of "exceptional circumstances" that should enable the student to be readmitted. Severe incapacitation from illness, accident or severe emotional distress for a "substantial" part of the semester is one exceptional circumstance but the student must overcome the reasons why he did not withdraw if his academic performance was impaired to such a degree.

Another exceptional circumstance standard, the if-likely-to-raise-the-cumulative-average-to-75 test, is more easily met if the student maintained an above 75 average during periods when the student was not incapacitated.

Circumstances not usually considered sufficient for readmission according to the Academic Rules Are:

- Financial problems requiring the student to work too many hours per week.
- Excessive involvement in extra-curricular activities.
- Marital or engagement breakup, illness or death in the family or other frequently-encountered emotional problems
- Student first admitted under the USD program for the Educationally Disadvantaged.
- Personality clash with professor(s).
- Inability to do papers or exams.
- Enrollment in spring or summer school in San Diego or USD abroad.
- Illness lasting less than two weeks.

Walter Heiser, Dean of Academic Affairs, readily agreed that this is the least popular committee among the faculty. The Petitions Committee also hears student petitions for waivers of residence units or any other appeals by students regarding the academic rules. They all affect students.

"These are very difficult issues affecting the careers and lives of students," Heiser said, with the faculty "constrained by policies and rules of the faculty that cut against sympathies to particular students."

The faculty members are selected by lottery from the full-time faculty and serve three-year terms, with new members chosen on a rotating basis every year. Once the member's three years are up, he may have his name withdrawn at the subsequent election, probably one of the more popular rules of the Petitions Committee.

## Fellowships open for Law Skills leaders

Nine Legal Research Specialist positions and eight Oral Advocacy Specialist positions are available during the 1988-89 Academic Year. Students who will be in their second, third, or fourth year of law school next year are eligible to apply. These positions offer an excellent opportunity to sharpen research techniques, to increase familiarity with law library resources, to make a significant contribution to the legal education of first year students, and to develop a working relationship with a faculty member.

### Legal Research Specialists: (9)

Specific responsibilities include writing and grading sets of legal research exercises, attending and participating in legal research lectures, conducting library tours, and consulting with students during weekly office hours. The honorarium for these one semester positions is \$500.

### Oral Advocacy Specialists: (8)

Specific responsibilities include writing two major appellate brief problems, attending oral advocacy lectures, attending practice and final oral advocacy rounds to assist instructor in providing

feedback to students, and consulting with students during weekly office hours. Please note that the two major problems must be written during the Fall Semester 1988. The honorarium for these one semester positions is \$500.

Applications are available from Mary Vicknair or Susan Miller in Room 117 of the law school. The deadline for submitting applications is March 17. Interviews will be held the week of April 4. An interview sign-up schedule will be posted on the door of Room 117 on March 21. Please be sure to sign up for an interview at that time.

### Faculty Brief

LESTER SNYDER has been reappointed by the State Bar of California to a three-year term on the Executive Committee of the Taxation Section. Also, Lester has some moderating and speaking roles coming up in the spring and is completing an article for the ABA Tax Section Task Force (with GARTH GARTRELL) on "Transfers of Property in Payment of Services."



## Dean's forum improves dialogue

(Continued from page 6)

respect to ethnic diversity, efforts currently are being made by the Faculty Appointments Committee to recruit minorities to the faculty. Anyone with comments on this issue should speak with Krantz.

### Preregistration scheduling

Preregistration materials and course offerings for the following year often are not made available until late in the Spring Semester. This creates a problem for students who are attempting to concentrate on final exams.

Unfortunately, the administration does not have full control over this issue. A complete class schedule cannot be made until the faculty is set for the Fall Semester. This process is often hindered by late agreements being made by visiting faculty who have not confirmed whether they will be teaching in the fall. These visiting faculty may be teaching required or popular upper division courses.

Until these visiting professors confirm their intention to teach, and the administration knows which of our own faculty members will be taking leave, the schedules cannot be made. The administration is attempting to get these confirmations forwarded to the Law School by an earlier date.

### Course selection & preregistration

Salt indicated that she will be establishing various counseling programs to assist students in their registration and course selections. Stay tuned for dates and times.

### Tuition

In the February issue of *Motions*, and at the open forum, questions were raised about the extra fee charged to students who took more than fifteen units per semester. Students wanted to be charged for the units which they took for the whole year. For example, if a student took fourteen units in the fall, and sixteen in the spring, she should not be charged extra for taking the sixteen.

Salt later learned from the Student Accounting office that University policy—to which the Law School is subject—is that students are charged on a per semester basis rather than a yearly basis. Thus, the extra cost is factored in for the semester, not for the year. Any changes to this policy would have to be made through the Central University Administration. Salt is looking into the matter.

### Day/evening care

In recent years, many students with children have inquired as to the possibility

of setting up child care at the University. Salt indicated that the tentative date for the opening of a USD day care center is summer 1989. She is not sure whether evening care will also be available, but will raise this issue with the University task force.

### The new (& lounges) library

Students inquired about the wisdom of failing to provide a lounge in the soon-to-be expanded and renovated law library. Given the level of use of the lounge, this is indeed a curious situation.

Library Director Carter explained that almost every function of the present lounge will be available in the new library. Six conference rooms will be available for group study. Telephones will be available, as will be newspapers and comfortable chairs. Copy machines will be available. Food will not be permitted in the new library, however, because it attracts insects which then deteriorate library books.

OVERALL the forum was a positive sign of progress on issues of concern to all USD law students. Desirable next steps would include monthly open forums, and elevation of the position of Assistant Dean for Student Affairs, which is temporary, into a permanent full-time position.

Finally, the active participation of law students is needed to see the necessary changes made. Students are the customers of this law school, and are paying large sums of money for an education. The administration and faculty work for the students, and students should have a say in the policies, services and management of the law school. It is clear to me that student opinions have not been respected and student concerns have not been considered nearly as much as they should at this school.

To say that because we pay tuition, we should get our way is not enough, however. To have a voice means to exercise it, and to exercise it responsibly. For starters, this means showing an interest. Why were there only eight students at the 5 pm forum (including two SBA reps!)? For every gripe and bitch I've heard from students, how many of these have been channeled into letters or conversations with people in the law school who might be able to do something about the problem?

If people really want to make this a better place to go to school, the "divided and apathetic" faculty and the "lazy and apathetic" students and the "ineffective and apathetic" administration would quit grumbling about each other and get to work. Fortunately for all of us, things seem to be moving in that direction.

## Faculty Briefs

by Ina Levy

Professor LARRY ALEXANDER gave a paper at the University of Southern California in February; in March, he will speak at the University of Michigan and at the American Philosophical Convention in Portland, Oregon. Also, he has agreed to chair the AALS Section on Constitutional Law for a second year and will be planning the 1989 program in New Orleans.

Visiting Professor JOESPH EDREY reports that during 1987, he published two articles: "The Source Doctrine—Is It the End?", on the subject of the definition of the term "income" in the Israeli common law, 17 *Mishpatim* (Hebrew University Law Review) (in Hebrew); and "Taxation of Free Interest", an economic and legal analysis, 12 *luney Mishpat* (Tel Aviv Law Review) (in Hebrew).

Professor BERT LAZEROW has been named Editor-in-Chief of the *International Tax Journal*; and he spoke on two panels at the AALS Meeting in Miami,

the Graduate Programs and the Foreign Summer Programs.

Visiting Professor TOM PENFIELD received an award signed by Judge McConnell, on December 7, 1987 from the court-appointed Special Advocate group at Juvenile Court (Voices for Children) for "Demonstrating Exemplary Service and Dedication to the Abused and Neglected Children in the San Diego Juvenile Court."

In January, in addition to being the lead-off speaker at the USC Tax Institute in Los Angeles, KARLA SIMON chaired a mini-program of the ABA Tax Section meeting in New Orleans, entitled "Constitutional Aspects of Tax Law-Making."

Professor DON WECKSTEIN's recent reappointments include: Chair of Attorneys Employment & Practice Committee, Administrative Law Section, ABA; Co-chair, subcommittee on Public Sector & Interest Arbitration, Section of Labor & Employment Law ABA.

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### Phi Delta Phi, SBA and Bar Passers sponsor Barristers' Ball

Phi Delta Phi invites you to attend the second annual Barristers' Ball. This event, co-sponsored by the Student Bar Association and BarPassers, will be held March 19 at the Bahia Resort Hotel on Mission Bay. The Barristers' Ball is a semi-formal dinner dance to which all law students, faculty and staff are invited. This year's music will be provided by Nick Pyzow and The Fire. Tickets are \$22 per person for dinner (Swordfish, Prime Rib or Vegetarian) or \$12 per person for dessert and dancing only.

Many exciting door prizes will be given away including a bar review course from BarPassers, several "Dinner for two" coupons for the B Street Cafe, Tijuana Tilly's and the Monterey Whaling Company. Further information is available on posters around the law school. We look forward to seeing you there!

Phi Delta Phi will also be choosing the recipient of the Phi Delta Phi Outstanding Graduate of the Year Award. If you are a graduating senior and feel you are deserving of this award, or if you know someone who is, be sure to place that senior's name in nomination. Further information about the nomination process will be available in the Sidebar soon.

### Staff and faculty breakfast honors assistance to students

On March 23, 1988 there will be a student organization sponsored breakfast for all those members of the Law School Staff and Faculty who have been particularly helpful to the students. Suggestions are currently being taken in writing directed to the SBA. Please give a brief explanation of the help given to you or your organization. The faculty and staff will be sent individual invitations to the breakfast.

The breakfast will be held at 8 am in the University Center Faculty and Staff Dining Room. It is open to all students and those staff and faculty members being honored. However, in order to facilitate USD Catering, all students wishing to attend the breakfast must R.S.V.P. by signing in with the SBA by 4 p.m. on March 20th. A sign-up sheet is currently posted on the SBA office door (WRITS/student lounge office C).

### Alumni Association sponsors clerking seminar Apr. 6

Once again this spring, the Law Alumni Association, in conjunction with the Office of Career Planning and Placement, will present the Law Clerk Training Program for students. The program will be presented on Wednesday evening, April 6 from 6 to 9 p.m. in the Grace Courtroom.

In its third successful year, the five presentations of the law Clerk Training Program have provided valuable training for more than 400 USD law students.

Topics of study include Office Interaction, Information Resources, Research Materials and Pleadings, as well as additional timely topics of special interest. A complete syllabus is provided for all program attendees.

The Law Clerk Training Program is open to all USD law students, and is free of charge. To register, contact Jean Ritenour in the Placement Office. Space is limited, so please sign up early.

### UCLA Public Interest Job Fair

Reminder: Saturday, March 12—Public Interest Job Fair at UCLA. While this fair is generally informational, there will be a few employers interviewing for jobs. Details in Career Planning & Placement Office.

## COSO sponsors Easter food drive

The Committee of Student Organizations (COSO) was formed this semester. The purpose of the committee is to increase communication and cooperation among the many law student organizations. The committee meets every 2nd and 4th Tuesday at 5:15 p.m. in room 3C. All organizations are encouraged to send representatives. Meetings are open to all students as well.

The first event being sponsored by COSO is an Easter Drive designed to collect a variety of items such as food, candy, toys, gift certificates and other donations. Everything will be given to Sister Carlotta who will, in turn, donate them, in our behalf, to three Indian reservations. Boxes will be placed on the first floor of the law school starting Friday, March 18 through Wednesday, March 23. All students are asked to help by donating at least one item.

### Logo contest extended

The Law School Logo deadline has been extended to March 11 by popular demand. First prize will still be \$50 so artists, start your drawing. The judges would like to have a few designs to pick up from as this design will probably adorn the bodies of a good portion of the student bodies.

Rules: Designs should be drawn approximately the same size they would be on a t-shirt, in black ink (crayon smears) and on white paper. The contest is open to all students, staff and faculty of USD.

Submissions should be to the *Motions* or the SBA mailboxes on the first floor, or the *Motions* office, UC 114 or SBA in the Writs. An esteemed panel of student-judges will choose the best five (depending on the number of entries) and then all the students will have the chance to vote for their favorite. Then, SBA and *Motions* will offer the t-shirt with this nifty design on it to the students so you can impress your friends back home.

Any questions or problems, contact Starr Lee, *Motions*, x4343, or Lesley Clement, SBA.

## International Women's Day Forum set for March 8

by Misty Colwell

Tomorrow, the Women's Law Caucus and National Lawyer's Guild will host a forum on Social and Economic Justice for Women in 1988.

The event began as National Women's Day on February 23, 1909 as American Socialists and suffragists united in their common goal of improving conditions for working women and fighting for the right to vote.

Speaking on that day in Brooklyn, Charlotte Perkins Gillman, famous for her work on the suffragist frontier, declared that a woman's duty in her "home should mean the whole country and not be confined to three or four rooms or a city or a state."

In 1910, the event achieved global recognition. Feminists and Socialists attended the International Women's Conference in Copenhagen. Here, Clara Zetkin, leader of the German Social Democratic Party developed a format focusing on five topics for the conference which remains today. The occasion was observed in America until 1922 when Lenin declared the day an official holiday.

In 1957, the date was set at March 8 to establish an independent celebration of women's achievements and to discuss their international goals. It wasn't until the late 1960s that Americans resumed their observance of International Women's Day.

Our own celebration will focus on the same five topics developed in 1910. Dee Dee McClure from the National Women's Political Caucus will lead a discussion on Women and Public Life. Visiting USD Law Professor Joanne Conaghan will speak on Women and Higher Education. Teresa Gonzales from the San Diego Health Education Department will talk about Women and Health, focusing on AIDS (Acquired Immune Deficiency Syndrome). Virginia Franco, a member of San Diego Teachers' Union and Democratic Socialist of America will discuss Women and Employment. Speaking on Women and Family is Coleen Fearn of Legal Aid Society. A final topic, Women and Peace has been added to the agenda in recent years. This issue will be presented by Tanya Winters from Friends of Nicaraguan Culture.

The theme for these panelists will be "Social and Economic Justice for Women in 1988." The forum will be held on Tuesday at 7:00 in Fletcher Reception area. Refreshments (wine, cheese, coffee and tea) will be provided. For more information call 283-8222.

### On-campus job interviews scheduled

Start checking the Career Planning & Placement bulletin boards now for on-campus interview schedules. If your name is listed for an interview, and you are sincerely interested in that employer, then sign up in the next open time slot. Employers will be interviewing on campus between March 7 and 23. Stop by the Career Planning & Placement Office to pick up a chrono/alpha list of participating employers.

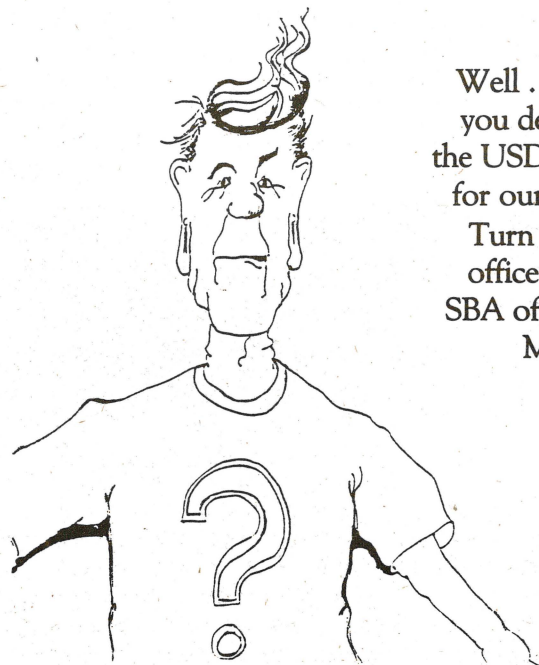
### D.C. Circuit Judge Abner Mikva speaks at Nathanson Memorial Lecture March 18.

On Thursday March 17 at 5:30 p.m. in the Fletcher Reception Room, Judge Abner J. Mikva, a Circuit Court Justice in the Washington D.C. Court of Appeals, will be speaking in the Fourth Annual Nathaniel L. Nathanson Memorial Lecture Series.

Judge Mikva will be talking about Civil Rights issues in connection with the First and Fifth Amendments. His speech, entitled "The Rise and Fall of un-Americanism," covers such areas as the loyalty hearings, congress's efforts to chill freedom of speech, the eventual abolishment of the House's un-American Activities Committee and how it could happen again.

The next morning, Friday March 18 at 7:30 a.m. a continental breakfast in Judge Mikva's honor will be held in the Fletcher Reception Room. All students are encouraged to come to both the lecture and continental breakfast. Look for flyers on campus for more information.

## Law Logo contest



Well . . . you know if you design a logo for the USD Law School . . . for our nifty t-shirt and . . .

Turn it into the *Motions* office (UC 114A) or the SBA office (1st floor LS) by March 11, 1988

**1st Prize \$50 and a nifty t-shirt**

Open to USD faculty, staff and students



## Law Review announces new members

An invitation to write for the San Diego Law Review has been extended to the following students: Daniel Andrist, Angela Baxter, Lynn Beekman, Denise Blasband, Hans Bodmen, Keith Boesky, Toni Clark, Kerry Curry, Dennis Dollar, Cynthia Eldred, Robert Harton, Frank Higgins, Diane Martens, Gay Morgan, Jean Parraguirre, Bruce Poole, Alison Priske, Julie Roe, Faye Russell and Shannon Wagner.

Congratulations on having an excellent first semester!

The San Diego Law Review is pleased to announce that the following individuals have been selected to be published in volume 25: Curtis Barnes, Ted Billbe, Arik Heim, Andy Kozlowski, Bill Polansky, Sherri Schaffer, Tim Silberman and Beth Jo Zeitzer.

## Weinglass to speak on criminal justice

The USD National Lawyers Guild, the SBA and Dean Kantz are proud to present criminal defense attorney Leonard Weinglass in an open forum. Mr. Weinglass will speak in Forum A at the University Center on the USD Campus on Wednesday, March 23 at 7:30 pm. His speech is entitled, "25 years at the criminal bar: A lawyer's perspective on the criminal justice system."

Weinglass grew up in suburban New Jersey and attended George Washington University and Yale Law School. He gained nationwide exposure for his role as defense attorney in the Chicago Seven Trial and then as counsel for Anthony Russo, Daniel Elsborg's codefendant in the Pentagon Papers Case. Since that time Weinglass has represented members of the Weather Underground, the Black Panthers and other politically inspired groups.

Always in high demand, Weinglass continued to represent politically unpopular defendants, despite the long hours and low pay. His recent cases include successfully defending Abbie Hoffman and Amy Carter when they were arrested, charged and acquitted (using the necessity defense) for protesting CIA crimes abroad, defending Juan Segarra Palmer, a member of the Puerto Rican independence group Los Macheteros, (who has been incarcerated for over two years—the longest pretrial detention ever), and participating in the defense of the seven Palestinians arrested for distributing newspapers the government considers subversive.

The talk by Weinglass is free and open to the entire University community. Come and hear an attorney who has chosen an alternative to corporate practice and has used his exceptional legal skills to make a significant contribution to civil rights and social justice.

—Robert Swain

## Thomas More Society seeks members

All law students are welcomed to join the USD chapter of the Thomas More Society. The purpose of this organization is to integrate legal studies and profession with spiritual values and faith.

Monthly meetings will take place in the Fletcher Reception Hall. Occasionally, guest speakers, such as clergy, lawyers and other lay persons from the community, will join the group to discuss topics involving legal issues and societal concerns. Numerous other events will be held throughout the year, such as masses, retreats, picnics and other social events.

For more information regarding the Thomas More Society and for dates, times and listings of events, contact student coordinators Kathleen O'Neil, Joe Hnylka or Adam Ratner, or check the Thomas More Society bulletin board on the first floor of the law school.

—Bill Brody

## PAD hits the slopes in Mammoth

PAD's ski trip to Mammoth Mountain was a huge success. The conditions were excellent, the skies clear and the slopes uncrowded. The condos rented had jacuzzis and were within walking distance to the slopes! PAD paid for one day's lift ticket for each PAD member who attended.

PAD rented a 15-person passenger van to take the chapter to the L.A. Hyatt Wilshire to see the legendary B. Witkin speak. Mr. Witkin's topic was "Cases I Can't Forget" being in his eighties he had quite a few tales to tell. A number of judges attended this affair.

See the PAD bulletin board on the first floor of Moore Hall for additional exciting events during March.

—Bobby Berens

## La Raza encourages young hispanics

So far it has been a very busy year for La Raza. In the month of March we will continue our busy schedule by implementing our Jr. High School and High School Visitation Program. Our members will visit five schools and talk to hispanic students about College and a possible career in law. We will mostly talk to 9th and 10th grade students and stress the importance of doing well in school.

We will also supply financial aid information and let them know that we are here should they have any questions. Our goal is to encourage more hispanics to attend college and to tell them what they should do to prepare themselves.

## The Case of the Disappearing Books

by Prof. Nancy Carol Carter  
Law Library Director

What is going on in the Law Library? Bare shelves on the second floor, periodicals no longer on the shelves upstairs, chairs moved to and fro.

A major shift of materials is underway, all periodicals are being reconsolidated into alphabetical order on the first floor and the Library is preparing for the arrival of 30 new study carrels and chairs.

These changes have three objectives: (1) to make room for housing the growing

collection in this building until phase one of the new library building is complete; (2) to improve the "findability" of periodicals; (3) to allow current students to enjoy some of the promised benefits of the new building — specifically, to experience the comfort and attractiveness of the new study carrels and chairs that will be used in the new building.

The library staff will make every effort to minimize disruption during this move and shuffle — but, we hope you can bear with us during the rearrangement. The results are guaranteed to be worth it!

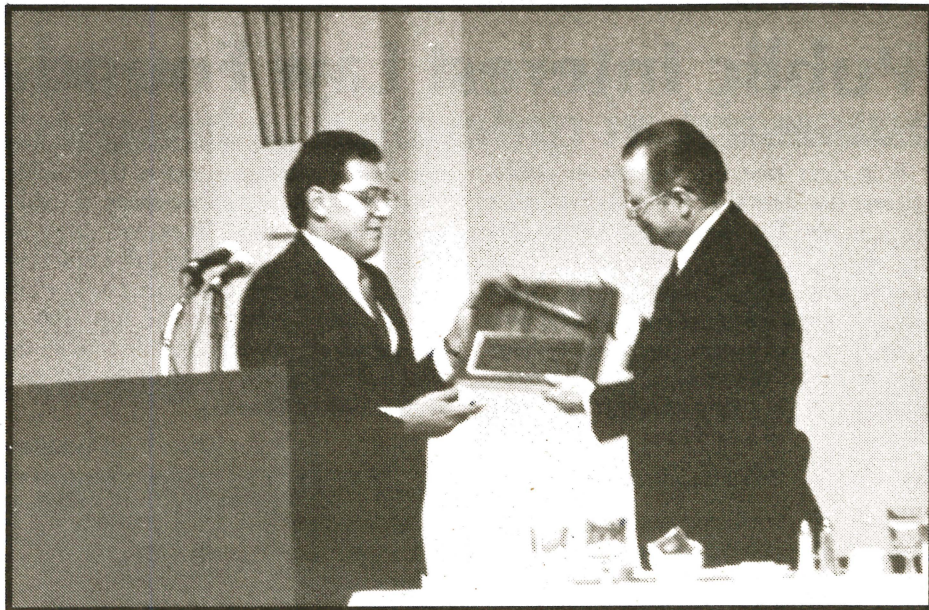


photo by K.L. Chapman

Victor Torres, representing USD's La Plaza Law Student Association, presents a plaque to former California Supreme Court Associate Justice Cruz Reynoso. Reynoso was the keynote speaker at a statewide La Raza conference held at USD.

## USD hosted 1988 La Raza State Conference

The USD La Raza Students Association hosted the 1988 La Raza State Conference on Saturday, February 6, 1988. Peter Nunes, U.S. District Attorney, and Dean Krantz opened the Conference by welcoming all the participants. Several workshops were offered. Professor Vargas and Rosemary Esparza conducted a workshop on Immigration. They stressed the history of U.S. immigration laws and the consequences of the new Immigration Reform and Control Act. A Bar preparation workshop was also offered along with a workshop specifically for High School and College students designed to help them prepare for Law School.

The highlight of the day was an inspirational speech delivered by former California Supreme Court Justice Cruz Reynoso. He stressed that law remained a service profession and that much had been achieved by the Hispanic community, but that much work still remained to be done. Attending the Conference were community individuals, High School and College students, local attorneys and representatives from seven California Law Schools, including McGeorge, Hastings, UC Davis, USC, UCLA, USF and USD. McGeorge will be the host next year. Overall, the Conference was a complete success and we thank everyone who participated and supported it.

## International Law Society has big plans

This semester has generated tremendous enthusiasm for the International Law Society (ILS). Many new members were invited to join the Club but there is still room for more. Anyone interested can pick up an application from the office located in the Writs or at any event we sponsor. We encourage those who want not only to supplement their resume, and their social life, to apply for membership.

The agenda this semester includes diverse and interesting events. Together with the SBA and Institute on International and Comparative Law, the ILS co-sponsored the international program slide show and reception on March 2.

On March 21, Robert Taylor, the Assistant Dean for McGeorge's international studies, will discuss the summer programs in London, Edinburgh, Salzburg and Vienna. Dean Taylor will also talk about McGeorge's Post-Juris Doctor program and LL.M.-Transnational Practice degree.

In April, the ILS is planning a bus trip to Puerto Nuevo for lobster, then on to the Rosarito Hotel for partying. Also, there will be another big event, as yet undetermined and your ideas are certainly welcome. For further information, look for the flyers bearing our logo or stop by the office.

—Dave Olan

## Journal celebrates first issue publication

In February, the *Journal of Contemporary Legal Issues* presented its inaugural volume to the legal community. This issue represents the culmination of years of work by both past and present staff members. The first issue features articles on such diverse topics as libel law, pornography, products liability, and the War Powers Resolution. According to Senior Editor Karen Gleason Huss, the *Journal* has received tremendous support from the Alumni Association, Dean Sheldon Krantz and the Student Bar Association. Both the financial and moral support from these groups has helped to make the *Journal* a reality.

The *Journal* originally had planned to hold a fund raising drive among the Alumni to raise needed capital. However, in light of the intense fund raising efforts directed at the Alumni for funds for the new law library, the Administration asked the *Journal* to use other fund raising methods. The *Journal* has successfully solicited subscriptions from almost all ABA-approved law schools throughout the country. In addition, many non-ABA approved law schools in California have purchased subscriptions to the *Journal*.

Despite the overwhelming support of the law school faculty, funding for the *Journal* has not been easy to obtain. The *Journal* eventually plans to provide issues at no cost to the student body. However, providing the issues at no cost requires a subsidy from the University. The Finance Committee is currently preparing budget proposals for the University so that in future years, funds can be allocated from the University budget. Unfortunately, these proposals must be submitted several years in advance. Until funds are allocated, the *Journal* will be supporting itself through subscriptions and other fund raising.

Subscriptions to the *Journal* will be available at tables on the ground floor of the law school. Subscriptions are \$17 for one year and \$32 for two years. Students are encouraged to subscribe; the *Journal's* success will enhance USD's growing reputation in the legal community. If students are interested in working on the *Journal*, they should attend weekly meetings, which are held Monday's at 5 p.m., in the Guadalupe Hall Conference Room.

—Tricia Bailey



# Public Interest Law Foundation gets off to running start

(Continued from page 1)

It is clear that the interest in public interest law exists, at USD and at other law schools. The Foundation is attempting to fill a void by supporting and channeling that interest. The most obvious and important way of doing this is by obtaining money to fund students so that they will not be precluded from working in a public interest position because the pay is low.

## Increasing USD's resources

In addition to subsidizing law students, the Foundation wants to provide support and education services. Most of the positions involved in the on-campus interviewing process are jobs with corporate law firms. While this service is adequate for those who know they would like to go into this area, it offers little to those interested in nontraditional areas of practice with organizations and agencies other than private law firms.

The Foundation is dedicated to making available to these latter students, and to those who are curious about public interest law, the guidance, information and resources which will assist them in obtaining satisfying jobs and securing a decent salary. Efforts will be made to work with Career Planning and Placement to increase the number of public interest law employers who interview on campus, and to upgrade the resources and information available in that office relating to public interest law.

## History of More Hall PILF

The Foundation was founded at USD by several second and third year law students, with the assistance of several 1987 graduates, to respond to the crisis in funding for public interest law. Budget cuts have reduced the funding available to groups working on behalf of those the system most frequently forgets: the homeless, the mentally ill, the poor, immigrants and migrant workers, and indigent criminal defendants, to name but a few. Legal services are needed to help these people get the basics of food, shelter, and freedom from physical abuse.

The Foundation's current Directors incorporated the group in January, 1988. Most of them learned of each other's interest in public interest law somewhat by chance. Some met while doing course work and internships with USD's Center for Public Interest Law. All were convinced that much more should be done to support public interest law at USD.

The arrival of the Foundation is actually the second major development to encourage public interest law within a short period of time at USD. In 1987, as a result of the efforts of Dean Krantz, approximately \$20,000 annually has been set aside in the University's budget to provide supplemental work study funding for law students. This money, in the form of Community Service Grants, is designed to bring up to par the salaries of law students working for public interest agencies. Students have already worked for Defenders, Inc. and Legal Aid (see November issue of *Motions*.)

## Benefits to students and community

Subsidizing public interest law clerks provides several benefits. Perhaps most obviously, it assists agencies and organizations in providing legal services to those who need them. Lawyers' obligations to society and the value of pro bono work are much talked about in the classroom. The Foundation is attempting to encourage students to act upon these goals, rather than simply talk about them.

Another benefit to this project is one that is good for the law student as well as the community. Students working in public interest jobs work in areas of the law which they would not likely experience in traditional corporate law—areas which might include criminal, environmental, immigration, and many other interesting types of law.

Although these students may or may not choose a career in one of these fields, they will have the information to make an intelligent choice. They will also have gained valuable experience. The best time to learn about public interest law is while still in law school. By the time one is in practice, one is less flexible to take the time and energy to experience different types of law practice.

Finally, the Foundation is an excellent way for those who do not choose to work in public interest law to support others who do. Moreover, they may directly participate in that support by exercising their voting rights as Members of the Foundation.

## Comparative Law Forum sponsors international speakers

The Comparative Law Forum is a student organization composed of foreign lawyers from Europe, Latin America, Africa, and Asia, who study American law in the Master of Comparative Law program. In two years, the C.L.F. has already organized more than 20 speeches. Foreign Law Professors and lawyers speak about specific current legal issues arising in their country or in the relations between their country and the U.S. or simply make a comparative analysis of certain fields of law. These speeches are a good opportunity for American law students to meet foreign lawyers and learn about their legal systems. One of the goals of Comparative Law is to be able to pick up ideas in other legal systems in order

## PILFs work!

Is it practical to ask law students for more money than they already pay? Consider this: the Foundation is probably the only law school organization which gives back to law students every dollar it receives in pledges. Thus, while the Foundation is asking for money, it is investing that money directly back into the classmates of the members who donate. The success of Public Interest Law Foundations at law schools across the country had been phenomenal. For example, the UCLA Public Interest Law Foundation received \$30,000 in pledges from students during its first on-campus pledge drive.

Those who contribute to the Foundation will be entered into a raffle for a free BarPassers bar review course (for graduating students) and free half-tuition on a BarPassers course (for first and second year students). All pledges to the Foundation are tax deductible to the full extent of the law.

Donations are welcome and pledge forms available at any time. Please contact the More Hall Public Interest Law Foundation, University of San Diego School of Law, Alcala Park, San Diego, CA 92110. The Foundation has a mailbox on the first floor of More Hall and an office in the Graduate Organizations Room in the University Center.

to improve one's own legal system.

These speeches usually occur during lunch time in the Fletcher Reception Room, so that a lot of students can attend them. Some could be scheduled for evening students too. A Cheese and Wine Buffet is provided and everybody is welcome. This Spring on February 25, Dalila Griffin addressed the audience

about Chinese Law. On March 10 Michele Briancon and Laurence Guedon will speak about the Ecole Nationale de Magistrature, the French National Law School forming Judges. On April 24 Ratansha Vakil will speak about Singapore. And at the end of April, the French General Consul might come and speak about the Presidential elections in France.

We hope that a lot of you will attend our meetings.

—Thierry A. Bernard

## Heiser returns to teaching full-time

Walter Heiser, Assistant Dean of Academic Affairs, decided recently to return to full-time teaching in August, 1988. So, one of Acting Dean Grant Morris's first duties, possibly this spring, will be to choose a replacement for Heiser.

The duties of the Assistant Dean of Academic Affairs include working on faculty policy matters, the responsibility for courses and instructors, and the ultimate responsibility for interpretation of the "language" of the Academic Rules.

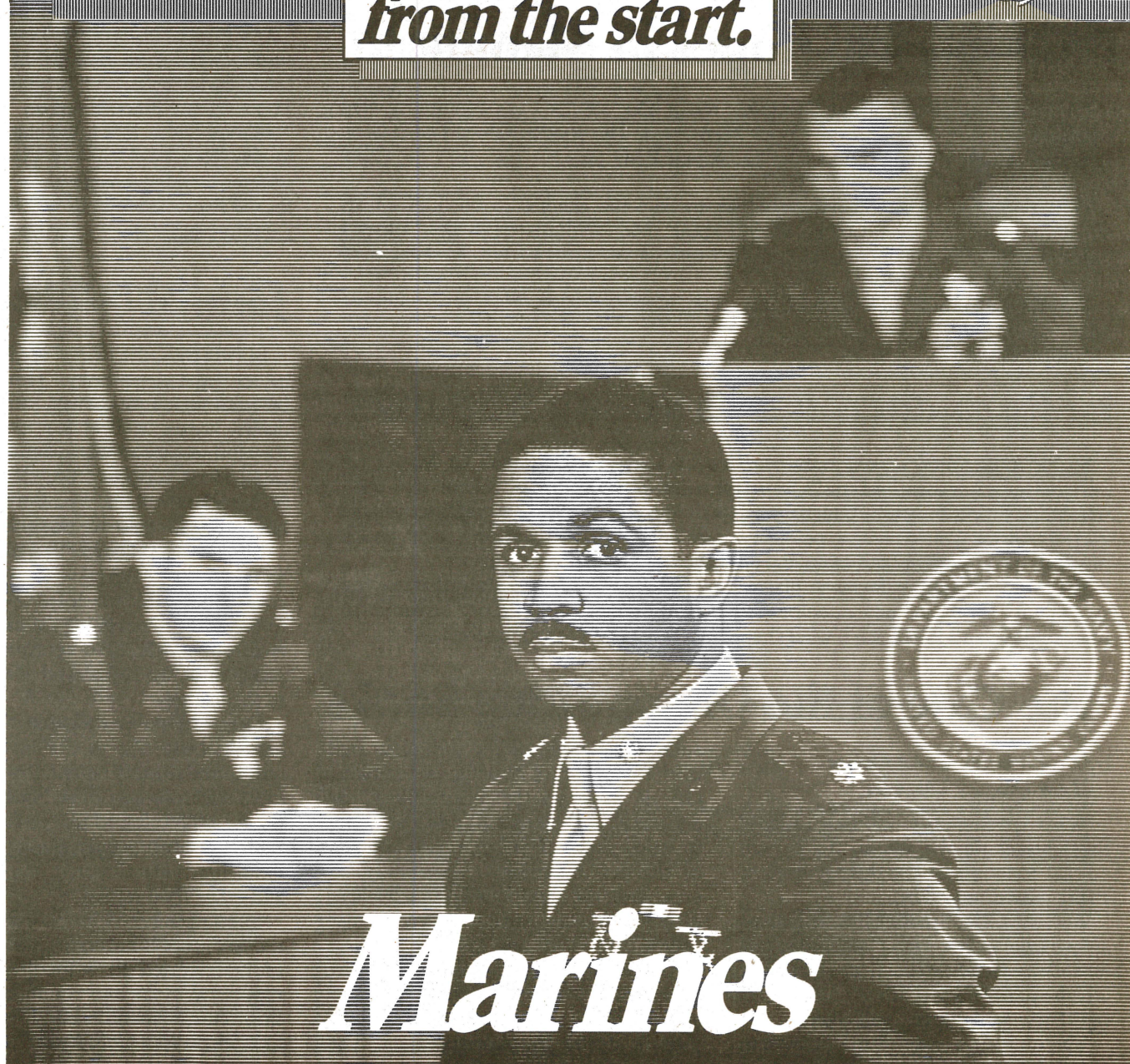
You'll get first hand experience in the courtroom right from the start. In three years, you could handle more than 3,000 cases in a wide variety of subjects from international to contracts to criminal law. If you think you have what it takes to be a

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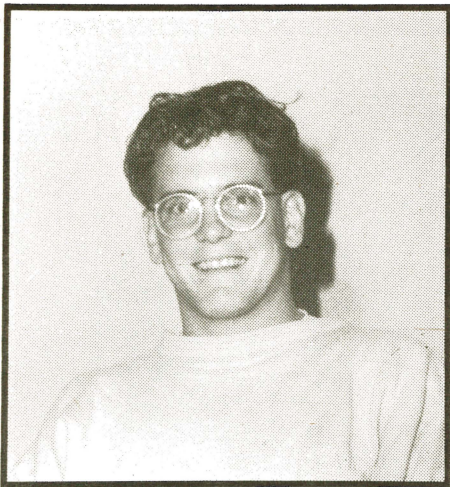


For further information or an appointment, contact Capt. Juarena at 294-2174



# SBA Candidates

## 1988-1989



Gary Fielder

### Gary Fielder President

From my perspective the SBA President plays three major roles.

1.) **Problem Solver:** The USD Law School is entering a period of major transition. Next year's SBA President will face not only a heap of old weeds that somehow seem to reappear every year—but an increased number of new weeds that will definitely have to be faced.

Old Problems . . . they're obvious: Parking, copy machines, eating facilities, etc. The important task is not to recognize them, but to do something about them. Hopefully, any President will fight, lie, beg, or steal for better copying services; I think lunch time would be a much better experience if we could buy a bagel downstairs in the WRITS from a human being as opposed to a machine; and as far as parking . . . I'll take suggestions—but a "For Law Students Only" sign posted out front would be a start.

Potential New Problems: Library renovation; a bulging first year class (that will eventually be a bulging second and third year class); and the resignation of Dean Krantz. Next year's President will have to be accessible at all times during the day and evening, and be willing to spend the time necessary to deal with these concerns.

At first glance, it would appear advantageous to elect a would-be third year student. But normally third year students must endure an incredibly busy schedule, chalked full of job interviews, part-time firm work, and the like. As a second-year, I will not only have the time, but will be accountable even after the term has run.

2.) **Communicator:** This aspect of an SBA President is vital. Currently, legal events and distinguished speakers come and go without a whisper; student issues are raised, argued, and voted on at faculty meetings with practically no input from the students; night-students rightfully complain over being in the dark about up-coming events; and in fact most students aren't just exactly sure what SBA is or does.

Solutions: Print a weekly SBA Newsletter; push for funding to allow *Motions* to desk-top publish and print bi-weekly; construct a glass enclosed bulletin board to sit smack-dab in the middle of the bottom floor of More Hall; hold office hours during the evening as well as the day; and hold lunch time forums on the tables out back to hear student grievances.

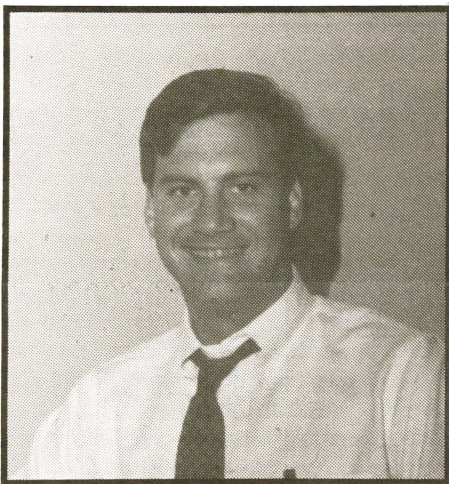
3.) **Social Chairman:** Undoubtedly a primary function of SBA is to get people together out of class. I agree with the current SBA administration's view that SBA should not spend all of our money on small get-togethers on the patio—but on major events such as Halloween, Barristers, etc. "If elected" I would not deviate from that stance, because it certainly seems to benefit a larger portion of the student body . . . although some money might get spent on "just a few" small get-togethers on the patio. Also, I would like to see an Alumni/Faculty/Student picnic . . . I like picnics.

If you read this far let me ask you to please vote for me on March 8.

### Jack O'Donnell President

I am running for president of the SBA. I am a 2nd year day student and have served as a class rep and am presently vice-president. My platform is simple and involves four specific goals: 1) A better career planning and placement system, 2) Elimination of the parking problem, 3) Community involvement, and 4) an increase in the bar passage.

Career development is the key to successful employment. The present planning and placement program fails to assist a MAJORITY of the students. If elected, I will introduce the following improvements: A program whereby specialized professors monitor career development with groups of students who are interested in pursuing careers in their area. It is vitally important students understand what courses they should take, what jobs they should be applying for and what types of contacts they should be making regarding their interests. I am presently investigating companies that offer computerized placement for all types of jobs. Such a computerized system would be accessible to all students and



Jack O'Donnell

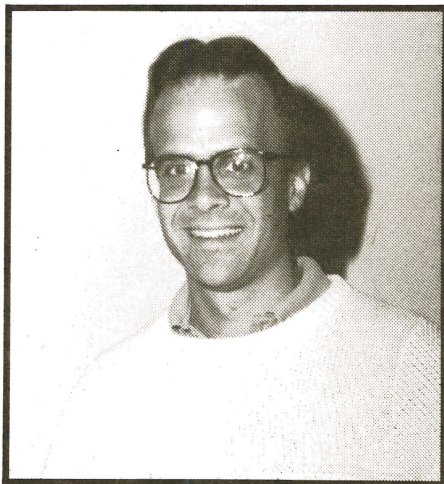
bring us up to speed with other schools.

Secondly, the parking problem affects us all. I am presently working with a first year student, Cliff Schuster, on the parking problem. Cliff and myself have met with administrators and have come up with some solutions. These include diagonal spaces, and an already approved towing policy such that there will be no towing with the exception of fire lanes, handicapped spaces and situations where the car is parked in such a way that imposes danger to others. I think we could all stand a little less hassle prior to sitting in class or studying in the library.

Thirdly, lawyers don't have a good "rap" in general and programs where law students interact with the community, we will someday work in, on a volunteer basis will patch up some of the old wounds that our predecessors in the profession have created. Increased activity of students in the community will also increase the reputation of our school, a goal we are all concerned with.

Lastly, I can increase bar passage in the following manner: more mid-term exams and mandatory writing workshops for all students: organize a "buddy system" for 1st year's whereby 2nd and 3rd year's give some time to help with classes and give hints on surviving school and getting good grades—an important concern for all of us. Finally, I will encourage the faculty to provide sessions for all students regardless of whether or not they qualify for tutoring classes.

I would appreciate the chance to help all of us fulfill our aspirations. Thanks for taking the time to read this; I would appreciate your vote on March 8 and 9.



Todd Thakar

### Todd Thakar President

Most law students know little about SBA. I'm running for President to provide an active student voice on matters that significantly effect the student body—what do you think about mandatory mid-term exams, towing of cars, a student lounge in the new library, etc? The SBA manages \$30,000 of our money annually; are you getting your money's worth? Our interests must be part of the process and not an after-thought. My proactive agenda includes:

1. **Mid-terms**—a school-wide survey on the issue. The goal is to better prepare us for the bar but all students should have input to this volatile issue.
2. **Parking**—towing is B.S.—At \$9,000 tuition a year, we shouldn't risk a \$50 ticket and towing just to attend class. A law school sticker or restriction until 10 a.m. must be pursued.
3. **New Library**—It will be great, but we pay the price during construction. A student voice is essential to limit the construction detriments. The student lounge must not be eliminated. More new copiers.
4. **Food Service**—must meet full needs of law students and not just undergraduates.
5. **Law School Organizations**—more than 20 special interest organizations can be an important part of our law school education, but need a higher profile. The SBA must work more closely with these groups to promote their activities and assure that these groups meet/address your needs.
6. **5K & 10K Run**—Let's have some fun and raise money for student computers in the library. A couple of similar activities a semester.
7. **Community Involvement**—through expanded involvement in the community, we meet an important need and increase the USD network and career opportunities. Greater Alumni Involvement will serve the same purpose.
8. **Election Year Speakers**—the SBA should make a concerted effort to have Presidential and Senatorial candidates speak on campus.
9. **Orientation**—an expanded program to facilitate the law school transition.
10. **Tuition**—should be based on 30 units a year. A student taking 13 or 14 units one semester and 16 the next should not pay a surcharge for the 16th unit.
11. **Evening Program**—SBA activities and events should be more keenly aware of the needs of the evening student to allow them every consideration of the day student.

These are a few of my ideas. First and foremost, I will always have an open door to you the student. I have the interest, energy, and past experience to be an effective voice in the 1988-89 school year. I look forward to working with you and encourage you to be a THAKAR BACKER on March 8 and 9.

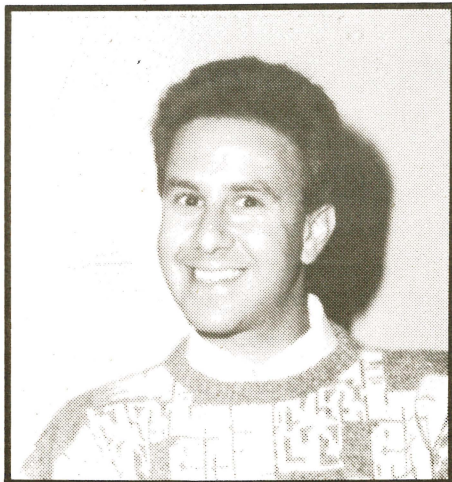
### Daniel Gordon LeVine President

USD CAMPUS, MORE HALL—The Student Bar Association will conduct an election for Officers, Class Representatives, and Honor Court positions on March 8 and 9, 1988. Please take some time to learn about the various candidates and remember to vote.

Dan LeVine is a candidate for the SBA President position. Prior to attending law school, Dan worked in New York City for a national insurance company for ten years. While there, he honed his ability to accomplish major projects. Bringing this experience to USD, Dan has continued to demonstrate his leadership quality by acting as a class representative for two years and developing and writing *SIDEBAR*.

Dan believes that a primary function of the SBA should be aimed at the improvement of students' lives. The SBA President acts as the spokesperson for the student body. The President must present the student interest to the Administration, Faculty, and student organizations. Dan feels that he has shown that he wants to be such a spokesperson by producing *SIDEBAR* each week for the past two years. More than anything else, the student body deserves to know what issues have been presented to the student government faculty and administration, and what their response has been. Dan promises that his past tradition of trying to inform students of activities will improve in the future.

As for some of the issues that must be addressed by the candidates for the office of SBA President, Dan has presented his platform covering the following: Parking, Library, Administration Interface, Student Organization Relations, SBA Structure and Operation, Budget Process, Registration, Professors, Examinations, and Career Planning. This



Daniel Gordon LeVine

platform presents his view of the issues. The platform was posted on the SBA bulletin board for public view on February 23.

The student body at USD Law School is faced with numerous pressures and obstacles that tend to impede progress to their respective goals and aspirations. As President, Dan will implement change to remove some of the things that get in the way of student achievement. His "can do" attitude helps him accomplish objectives where others would typically fail or give up. Dan is a results orientated person who is not satisfied until the task at hand is completed, and is completed in a manner that shows the job has been done right.

On March 8 and 9 every dues paying member of the Student Bar Association will have the opportunity to vote for those people whom they want to represent their interests. Dan hopes that you will consider who can best represent your interest. Such an evaluation will lead you to the conclusion that of the various candidates for the President position, Dan LeVine is one of the front runners. He has the ability, experience, and ambition to help many students.

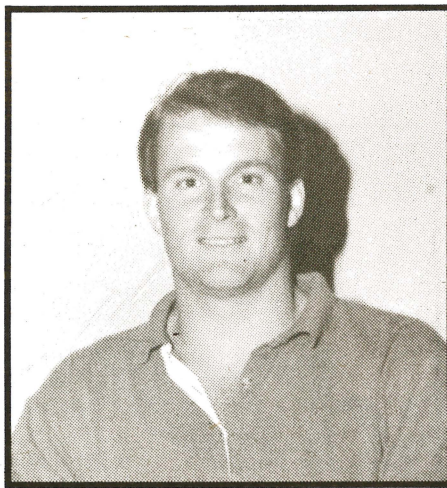
Above all, please take the opportunity to participate in this election by casting your ballot.



### John Iannarelli Day Vice President

I hope to utilize my legal education in ways other than becoming an attorney. Therefore, I am not looking to be vice president just to have something to put on a resume. I'm running for office to represent the interests and concerns of the law school population. A few of the issues concerning us students are:

1. **Parking**—The parking situation has never been good and will only get worse once construction of the new library begins. We need to examine what can be done to help alleviate the current problem and prevent any future deterioration.
2. **Midterms**—Midterm exams will decrease the anxiety of final exams, especially for 1st year students. Also, the additional testing will afford students the opportunity to monitor their learning and make improvements as necessary.
3. **Community Involvement**—As future attorneys it is important for us to be aware of the needs and problems of our community. By taking an active role we will not only be serving the community but will be enhancing our



John Iannarelli

lawyering skills in the process. In addition, exposure to the community may develop potential career opportunities upon graduation.

These are just a few of my concerns in addition to many others that need to be addressed. While there may be others who are running for the office of SBA Vice President, I offer myself as the candidate who can and will make a difference.

II) To revise the academic rules of the USD Law School to include midterm examinations.\*

"Oh no, not more exams", I can hear you say. Quite to the contrary, more testing is exactly what USD law students need. As we have all come to realize, a law school exam is not graded on what you know but on how well you write what you know. The effects of requiring midterm exams would be twofold: One, students would know what to expect on final exams and be better able to prepare in those courses in which they showed deficiencies and, two, the current tutorial program could be revised to allow admission based on midterm grades. Not only would midterms improve student performance while in law school, but it would hopefully have the effect of benefiting those persons with writing deficiencies who, in the past, have been unable to pass the California Bar Exam. \*This proposal was just passed by the Academic Rules Committee as part of the administration's goal of increasing CA bar passage rates. 1987 bar passage rates were 64%—6% below the average of other ABA-accredited CA law schools.

III) To increase communications between law students, faculty and student organizations.

Through the use of an "Open-door Policy", i.e., professors and student organizations having required office hours on specified times and days, the communication gap which currently exists between students, faculty and legal organizations would be bridged. Not only would students be aware of current and future events within the law school, but the faculty/student relationships on campus would be greatly enhanced. Thank you for your support.



Mark Nelson

### Mark Nelson Day Vice President

I am running for SBA Vice President with the intent of accomplishing three major goals:

I) To expand the career development of students vis a vis assigned faculty and/or counselors in the career development office.

The current state of the "small advisory groups" for first years students does little to enhance students awareness of the various fields of law open to them. In addition, the first year student has little guidance in deciding on what classes to take as second year students in preparation for the field of law which interests them. The objective of the "small advisory groups" is conceptually a great idea. However, the concept of adapting first year students to the regiments of law school must be interrelated with the career development of those students.

### Michel Zelnick Night Vice President

I would like to help make the evening

students feel more like part of the law school community rather than just part-time students.

Michael Zelnick



### Carol Rosborough Day Vice President

I am running for Day Vice President because it is a challenging position that will best utilize my various skills, training and experience. As current SBA First Year Day Representative, I have gained valuable insight regarding budgetary confines and administrative problems facing faculty and student populations. I feel that some changes need to be made and I can help expedite these changes. One of the major concerns which needs to be addressed is the renovation of the Law Library. As of now the new plans do not include a lounge for the students. I will work to see that a lounge is included in the renovation of the library.

Parking is another concern. The parking problem will always exist as long as the school continues to issue parking permits for more spaces than are available. Warning tickets should be given out instead of towing students cars. The students should be allowed to settle their tickets on campus.

The faculty and student relationship should be improved. We need more interaction between faculty and students, such as faculty forums to address the students concerns.

Course Exams are another problem, we need more in-class sample exams to provide the students with a better opportunity to excel on their finals. This would help us in the long run in regards to passing the Bar which is our ultimate goal.



Carol Rosborough

In addition, the Career Placement Center needs to provide new programs such as job training and interviewing techniques. We also need more interaction with the practicing attorneys in San Diego.

Another interest which needs to be addressed is interaction between the day and night students. We need to unite all the students as one community.

The present faculty and student advisors system needs to be revised. There needs to be more interaction between the upperclass students and the first year students.

If elected as Day Vice President I will do my best to bring about changes with your support.

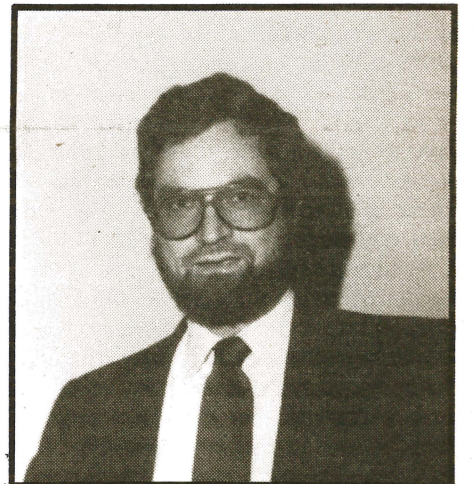
## Vice President Candidates

### David A. Manzi Night Vice President

For the past year I have served as 2nd Year Evening Representative and most recently as Evening Vice President on the SBA. It would have been very easy for me not to get involved with the SBA and immerse myself in the rigors of Law School and working full-time. However, I chose to get involved because I am the type of individual that needs to be an active part of my surroundings. Going to Law School is not just going to class and taking tests. It is being concerned about the school itself—the quality of the education, and the status of the school in the legal community.

Our experience at USD will always be a part of our professional lives no matter where we may eventually practice. The education we receive at USDLS should prepare us to excel in any area of the legal profession. We should not think of USD as just a three or four year experience. Rather our tenure at USDLS should be something to look back at with pride and carry us forward to success.

As a member of the SBA this past year, I have taken my responsibility seriously. The concerns of the evening students have been adequately represented. However, there is much more work to be done and it is for that reason I seek re-election. I am sincere in my concerns, confident in my ability and dedicated to serving the needs of all the students at USD.



R.J. Kobylak

### R.J. Kobylak Night Vice President

I promise to serve my fellow evening division law students by utilization of a Three-C approach:

1. **COMMUNICATION**. The present lack of communication between SBA policies and evening students is appalling. This is especially true for First Year students. If elected, I plan to serve as a necessary conduit of information between what occurs on campus during the daytime and what transpires at night. I am uniquely qualified for this role, having held positions of campus leadership in the past and having no other career or family responsibilities to conflict with my duties.
2. **CREDIBILITY** is important to me. I will make no promises that I cannot keep. For example, if it is determined that pizza and beer will be offered as refreshments at 5 pm, I would ensure that the food would arrive as scheduled. Otherwise, the evening students are unfairly penalized due to class schedule.
3. **COOPERATION**—I pledge to co-operate with the SBA President and all other officers and representatives to work toward the goals of benefitting all USD law students.

Please elect me your Evening Vice President.



David Manzi

**Vote  
March 8-9**

**Runoffs  
(if needed)  
March 15-16**

(Vice President Continued)



## Vice President Candidate



Priscilla A. Thorner

### Priscilla A. Thorner Night Vice President

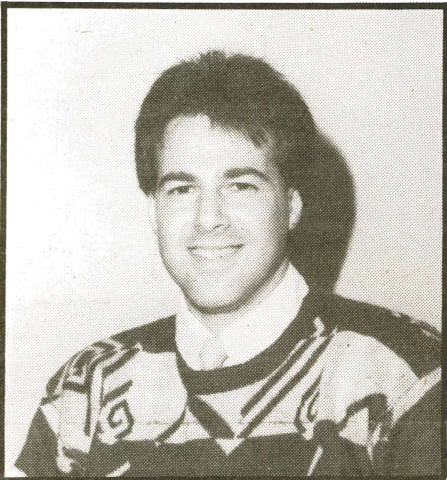
There are a few things I would like to see changed at USD but the most important thing I feel we need is the

knowledge of everything available to us as students at USD.

The first thing I noticed as an evening student was the lack of information readily available to us. By the time most of us arrive on campus the offices are closed; resources are untapped, opportunities missed. There are numerous opportunities available to students that many of you are not aware of: fraternity memberships, employment opportunities, guest speakers, discount theater tickets on campus and discounts offered by local merchants. There are also study resources available in the library that are yours for the borrowing, such as last year's course outlines, and assigned texts on reserve. There are many benefits unreaped by the evening student.

I make it my business to know what is going on at USD and to discover the resources available which can help us be successful in our studies. I am always available to listen to your problems and willing to help find a solution. As Vice President of the evening division I will see that, as a division, we are better informed.

## Secretary-Treasurer



Vito A. Canuso, III

### Vito A. Canuso, III Treasurer

For the past year I have been a representative for the Student Bar Association. Consequently, I developed a greater understanding of the administration and application of the rules and decisions that affect our law school career. My initial desire to become active in school administration and keep myself abreast of "what's going on" was fulfilled by participating in the SBA organization. I am sincerely interested in continuing that participation.

I feel the area of money expenditures is in need of greater organization by a responsible student-treasurer. Each year we, as law students, contribute \$20 to \$30 (depending on status) to the SBA pool of funds for subsequent allocation to the various legal societies and journals. We need to be assured that allocated funds are properly accounted for. Because of my experience with the budget allocation process and my overall emphasis on meticulous organization, I offer the best opportunity to fulfill the position of SBA Treasurer.



Susan McCarthy

### Susan McCarthy Treasurer

I'm running for the office of Treasurer. I graduated from UCSD with a B.A. in Animal Physiology and a minor in Management Science/Economics. At UCSD I was involved in various activities including Treasurer, Asst. Treasurer, and Chair of Finance Committee of Kappa Kappa Gamma. As such, I was responsible for over \$25,000. My responsibilities entailed thorough advanced budgeting, efficient management of all committee budgets, and regulating disbursement of funds.

I feel well qualified for the position of SBA Treasurer, and I would appreciate the opportunity to contribute to the law school community.

### Kathryn Lowe Secretary

USD Law School is good but I think it can be even better. Change is necessary to keep the law school competitive and meet tomorrow's challenges — the school and our careers. Student involvement is the best way to have your voice heard.

Among critical issues facing each of us in the coming year are:

- Parking — let's not talk about it let's fix it!
- Communication — there are numerous rights and opportunities which are available to students and missed daily.
- Student Survey — what interests you? what would make your law school experience more enjoyable? more extra-curricular activities? more network building opportunities? No more talk, let's make it happen! Most importantly remember to vote Tuesday and Wednesday!

## Representative

### Amy Abdo Second-Year Day Representative

I'm seeking the office of second year class representative, day division. Upon election, my main goal will be to open communications between students and our faculty and administration. On many occasions the students' needs are overlooked when the administration makes decisions which only effect the students. As a Student Bar Representative, I plan to open avenues so the students can communicate more effectively with our faculty and administration.

Throughout my past education, I have had extensive experience in student body government as well as other school related organizations. This experience will better enable me to deal effectively with the student body's problems as well as to instigate positive changes in the Student Bar Association. If I gain your support, you can have confidence that I will be easily accessible to you. I would appreciate your vote on March 8 or 9.

### Valoree Bowden Second-Year Night Representative

The Student Representative plays a viable role in promoting campus unity and student awareness. My objective is to cultivate and encourage high standards, improve social conditions and keep alive an interest in the school and the community. I believe this can only be achieved through diligent personal involvement and reliable representation.



Debbie Weber

### Debbie Weber Secretary

I am running for SBA Secretary because I would like to be more actively involved in improving areas which affect or concern most of us. First, the parking lot should be relined/restructured to fit more cars. Along those lines, the parking fines should not leave me penniless. There are other incentives to induce payment rather than doubling the fine or towing the car. Especially during the first week or two of school, warnings should be given instead of fines.

Second, we should have more informational seminars featuring judges and lawyers in the San Diego area so that we might become more familiar with our legal community.

Third, the tutorial program needs to be managed more efficiently. Many students look forward to the tutorials to minimize their fears and to fill in black holes which formulated in their minds following a class discussion. It is very disheartening to repeatedly show up at the set time only to find that the tutorial has once again been cancelled (and your car was probably towed).

If I am elected, I promise to work hard to solve these problems and to help in the overall functions of the SBA administration. I hope you'll vote for me.



Amy Abdo



Valoree Bowden

As an evening student, I recognize the need for consistent communication between students and the governing body. Because I feel I have a good rapport with my peers, I can effectively link the communication gap between the students and the Student Bar Association.

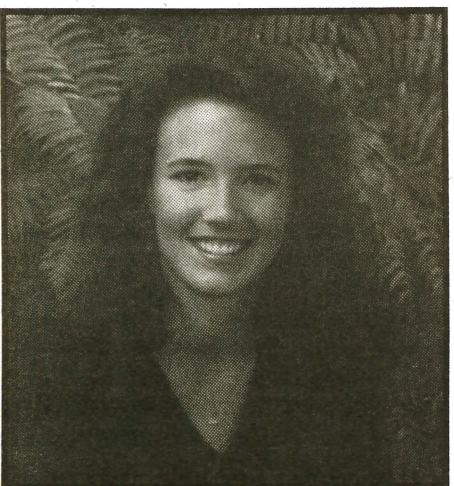


Jennifer Aman  
Secretary

(Aman submitted no platform to motions.)

### SBA candidates as of 26 Feb. as submitted to Motions

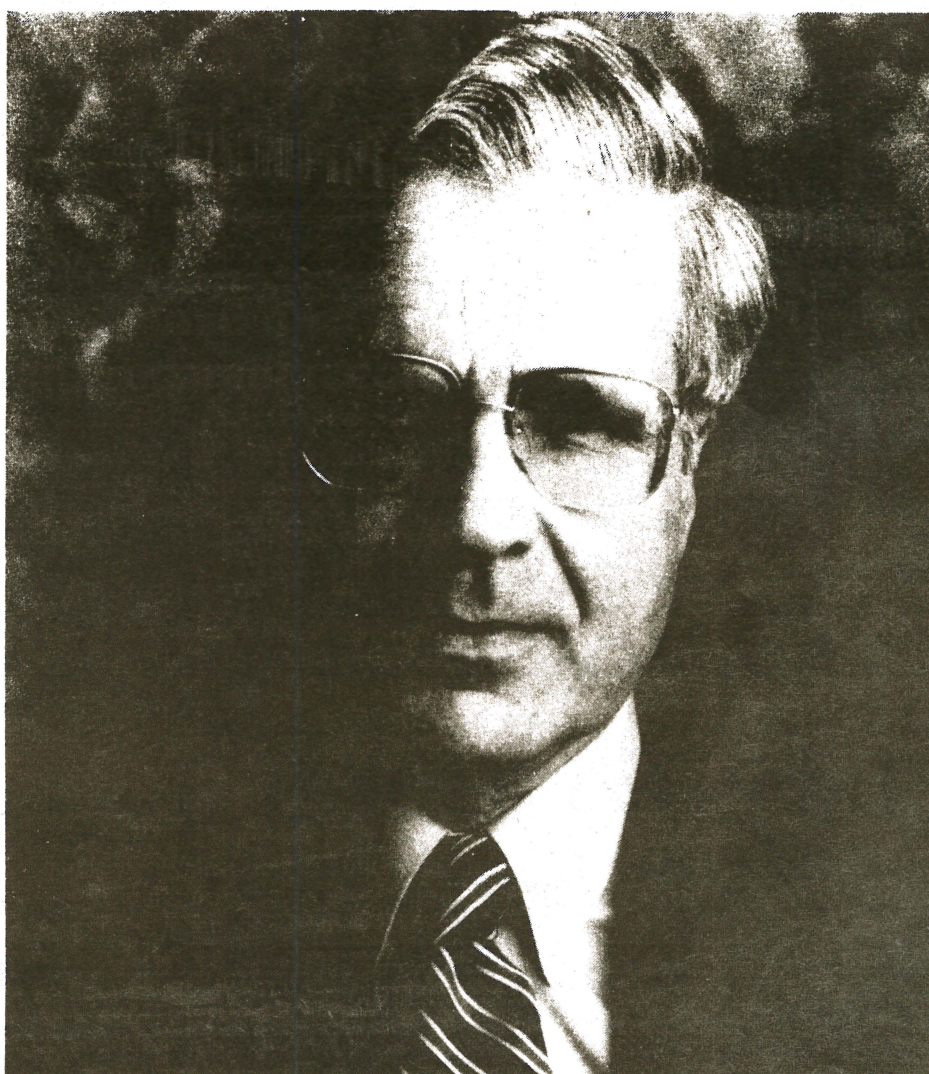
President	
Gary Fielder	Jack O'Donnell
Daniel LeVine	Todd Thakar
Night Vice President	
R.J. Kobylak	Priscilla Thorner
David Manzi	Michael Zelnick
Day Vice President	
John Iannarelli	Carol Rosborough
Mark Nelson	
Treasurer	
Vito A. Canuso, III	
Susan McCarthy	
Secretary	
Jennifer Aman	Kathryn Lowe
Linda Lory	Debra Weber
Representatives:	
2nd-year Day Rep	
Amy Abdo	Mark Lobello
Tim O'Connor	Carrie Blum
2nd-year Evening Rep	
Donna Boris	
Valoree Bowden	
3rd-year Evening Rep	
Jessica Watson	
Honor Court	
Jean Parraguirre	
Mohammed Ghods	



Kathryn Lowe



**Prof.  
Arthur  
Miller  
Joins  
BAR/BRI**



BAR/BRI is excited to announce that Prof. Arthur R. Miller, of the Harvard Law School, will be lecturing for BAR/BRI, beginning with the 1988 bar examination.

Prof. Miller, who lectured on the bar examination for more than 10 years before joining BAR/BRI, will lecture in New York, California, Michigan, Massachusetts, and other states.

The addition of Prof. Miller is just one more reason that more law school graduates throughout the United States take BAR/BRI than take any other bar review.

We are excited to welcome Prof. Miller to our faculty.

**barbri**  
BAR REVIEW